

**FULL EQUALITY IMPACT ASSESSMENT QUESTIONNAIRE/CHECKLIST**

Directorate	Adults and Housing	Section	Commissioning and Partnership		
1 Name of the function to be assessed	Transfer of responsibility for commissioning social care services for people with a learning disability from Harrow Primary Care Trust to the Council	2 Date of Assessment	17/12/08	3 Is this a new or existing function	New
4 Briefly describe the aims, objectives and purpose of the function	<p>The transfer of this funding forms part of the implementation of Valuing People Now, the national policy for people with a learning disability.</p> <p>The aims is to declare to the Department of Health, by the 31<sup>st</sup> March 2009 deadline, the amount of funding for social care commissioning to transfer from Harrow PCT to Harrow Council.</p> <p>The objectives are to ensure that everyone who is having their social care needs met through Harrow PCT commissioning is identified, and that the cost of their services along with associated costs for commissioning and provision is agreed and transferred.</p>				
5 Are there any associated objectives of the function/policy? Please explain	No				
6 Who is intended to benefit from the function/policy and in what way?	The beneficiaries are the group of Harrow people with a learning disability whose social care needs are currently commissioned by Harrow PCT				
7 What outcomes are wanted from this function?	The outcomes are to: extend to this group of people local authority skills in social care commissioning and care management; access to greater choice and control over their lives; greater efficiencies and value for money in commissioning and contracting services				

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8 What factors/forces could contribute/detract from the outcomes?	Any current limits in the availability of living and day time opportunities for people with a learning disability in Harrow				
9 Who are the main stakeholders in relation to the function?	Harrow PCT, Harrow Council, people with a learning disability whose social care needs are commissioned by the PCT and their family carers	10 Who implements the function and who is responsible for the function/policy?	Harrow Council and Harrow PCT are responsible for the transfer of funding and commissioning responsibility. Harrow Council for the ongoing implementation		
11 What data or other existing evidence have you used to assess whether the function/policy might have a differential impact? (please continue on a separate piece paper if necessary)	<p><i>Valuing People Now: From Progress to Transformation</i> gives the Government's vision for people with learning disabilities across a range of services based on the four key principles of rights, independence, choice and inclusion. <i>Valuing People Now</i> said that NHS learning disability budgets and associated commissioning responsibility for social care for adults would transfer to local authorities by 2009/10.</p> <p>The DoH letter of guidance dated August 2008, (Gateway Reference Number 9906) states that 'this change will provide greater clarity about resources for specialist social care services where the lead responsibility rests – with local government'. The benefits of the transfer are outlined in the letter: extending to this group of people local authority skills in social care commissioning and care management; enabling access to greater choice and control over their lives; delivering greater efficiencies and value for money in commissioning and contracting services.</p> <p>Discussion with the Harrow Learning Disability Partnership Board has indicated some potential differential impact (see section 13)</p>				
12 Has the data or other evidence raised concerns that the function/policy might have a differential impact? If so in what area (please circle)?	Race	Gender	Disability √	Other	(If other please specify)

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<p>13 What are the concerns? (please continue on a separate piece paper)</p>	<p>Concerns: a possible liability of individuals to contribute to the cost of the services following transfer to Harrow Council (people have not been charged whilst the responsibility of the PCT); that the change will disrupt the service people receive; that the funding should remain identifiable and invested in Learning Disability services following transfer.</p>		
<p>14 Does the differential impact amount to adverse impact i.e. could it be discriminatory, directly or indirectly?</p>	<p>NO</p>	<p>15 If yes, can the adverse impact be justified on the grounds of promoting equality of opportunity for one group? Or any other reason?</p>	<p>YES/NO</p>
<p>16 Have you considered ways in which the adverse impact might be reduced or eliminated?</p>	<p>For everyone who will newly transfer to Harrow Council:</p> <ul style="list-style-type: none"> <li>• Accessible information will be made available to people about: the policy background to this transfer; the process of assessment and appeal; the continuation of current services until comprehensive reviews and individual planning indicates otherwise; the availability of benefits advice to maximise income alongside the client contribution assessment (these were key messages from the Learning Disability Partnership Board)</li> <li>• Advocacy support will be made available to people (another key message from the Partnership Board).</li> <li>• Individual assessments will be undertaken to assess need and financial contribution, enabling individual discussions to take place.</li> </ul> <p>For people who have been funded as Continuing Health Care:</p> <ul style="list-style-type: none"> <li>• A first stage appeals hearing to Harrow PCT is available to people.</li> <li>• A second stage appeals hearing to the London Strategic Health Authority is then available.</li> </ul> <p>People who have been funded through Old Long Stay funding do not have a statutory appeals process. Harrow PCT will need to carry out a consultation process in respect of these patients before a transfer takes place.</p> <p>The transfer of funding to Harrow Council for 2009/10 and 2010/11 will be made direct from Harrow PCT. From April 2011, the Department of Health intends to make the allocation direct to Local Authorities through the Area Based Grant. In the absence of definitive guidance from the Department of Health, it is unclear whether the funding will remain identifiable when transferred direct to Harrow Council in 2011. The Local Government Association and the Association of Directors of Adult Social Services have raised this concern with the Department of Health</p>		

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<p>17 How have you made sure you have consulted with the relevant groups and service users from Ethnic Minorities? Disabled people? Men and women generally?</p>	<ul style="list-style-type: none"> <li>The Learning Disability Partnership Board has been consulted twice, and a Reference Group is now being set up to meet monthly with Terms of Reference (attached).</li> <li>Individual assessments will enable individual discussions and advice to be offered.</li> </ul>		
<p>18. Please give details of the relevant service users, groups and experts you are approaching for their views on the issues</p>	<p>The Learning Disability Partnership Board is set up to represent the views of the Learning Disability community in Harrow to Harrow Council, the PCT and other statutory bodies. It includes people with a learning disability, family carers and the private and voluntary sector e.g. Mencap. The Reference Group will be a sub-group of the Partnership Board, reporting back to the Board as per its Terms of Reference.</p>		
<p>19 How will the views of these groups be obtained? (Please tick)</p>	<p>Letter <input type="checkbox"/> Meetings <input checked="" type="checkbox"/> Interviews <input type="checkbox"/> Telephone <input type="checkbox"/> Workshops <input type="checkbox"/> Fora <input type="checkbox"/> Questionnaires <input type="checkbox"/> Other <input type="checkbox"/></p>	<p>20 Please give the date when each group/expert was contacted</p>	<p>Presentations and discussion with the Learning Disability Partnership Board: 29/10/08 and 4/12/08 The Reference Group is being set up to meet monthly from January 2009, with a review of the Group in March.</p>
<p>21 Please explain in detail the views of the relevant groups/experts on the issues involved. (Please use a separate sheet if necessary)</p>	<ul style="list-style-type: none"> <li>The Learning Disability Partnership Board minutes of 4<sup>th</sup> December to be attached.</li> <li>Individual assessments will enable specific discussions and advice with each person and their family</li> </ul>		

<p>22 Taking into account the views of the groups/experts, please clearly state what changes if any you will make, including the ways in which you will make the function/policy accessible to all service users, or if not able to do so, the areas and level of risk (Please continue on a separate sheet if necessary)</p>	<p>The support being made available to people as set out in Section 16 (accessible information, advocacy support, individual assessments) will be shared with the people with a learning disability and carers on the Reference Group. Their comments and advice will be used to make improvements in each of these areas, and any others that they identify.</p> <p>People who are currently funded through Continuing Health Care funding have the right to use the NHS appeals process if they disagree with their assessment and the decision that they are not eligible for this health funding. Appeals may result in people retaining their Continuing Care funding, and so not transferring to Harrow Council.</p>
<p>23 Please describe how you intend to monitor the effect this function/policy has on different minority groups (Please continue on a separate sheet if necessary)</p>	<p>The S256 / S75 agreement by which this transfer of responsibility will be effected will include outcome measures for the individuals involved e.g. where people are living; what they do with their days (day centre/ employment). Harrow Council and the PCT will receive regular reports on the agreed outcomes. These can then be compared to the wider learning disability population in Harrow.</p> <p>The Reference Group may identify an ongoing monitoring role for itself, perhaps in an adapted Group.</p>
<p>24 If any elements of your function/policy are provided by third parties please state, what arrangements you have in place to ensure that the Council's equal opportunities criteria are met</p>	<p>This Equalities Statement will be jointly signed off by Harrow Council and Harrow PCT.</p>
<p>25 Please list any performance targets relating to equality that your function/policy includes, and any plans for new targets (Please continue on a separate sheet if necessary)</p>	<p>See performance section of main Cabinet report</p>

26 How will you publish the results of this Impact assessment?		27 Date of next assessment	
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Signed:  
NAME:  
**Completing officer**

Date:

Signed:  
NAME:  
**Lead Officer**

Date:

Please list actions you intend to take as a result of this assessment. Attach additional sheets if necessary.

**IMPROVEMENT PLAN**

ISSUE IDENTIFIED	ACTION REQUIRED	LEAD OFFICER	TIMESCALE	COMMENTS