

## **CROSS CUTTING COMMUNITY IMPACT ASSESSMENT – FIRST ASSESSMENT**

### **Introduction and Approach to Budget Setting**

1. The Council's budget proposals were published on 6 December 2011 in papers going to Scrutiny Committees. Comments from Scrutiny Committees will be fed back to Cabinet for consideration on 17 January 2012. The final budget will be set by the Council on 10 February 2012.
2. In last year's budget the Council identified the need to make savings of £119 million between 2011/12 and 2014/15, and we are on course to achieve £55m of savings in the current financial year. In addition the coalition government set out a new policy direction with profound implications for the council and other public sector organisations. Last year's Corporate Plan and Directorate Business Strategies explained how we would respond to these changes.
3. The past twelve months have been challenging. We have focused on protecting front line services and ongoing delivery of the Council's core business whilst at the same time becoming significantly slimmer and more efficient, through radical transformation of all service areas.
4. The approach set out in last year's directorate business strategies and the overarching Corporate Plan will continue to provide the foundations for our strategy. In the main, the Strategies are being delivered as planned with the majority of savings for 2012/13 to 2014/15 expected to be achieved. The next twelve months will therefore be the second year of delivering the four year plan we set out last year. Our focus remains on how we can deliver essential services to the public in a different way which will reduce our costs.
5. However the council is conscious that the proposed budget for 2012/13 to 2014/15 still includes some significant changes and these may have an impact on communities and particular groups defined in equalities legislation. This report therefore provides an update of the indicative qualitative assessment of the implications that was produced in December 2010, and the work underway to mitigate the potential effects.

### **The Council's Assessment Process**

6. Section 149 of the Equalities Act 2010 ("the 2010 Act") imposes a duty on the Council to give due regard to three needs in exercising its functions. The restructuring proposal is such a function. The three needs are the need:
  - a. to eliminate any conduct which is prohibited by or under the 2010 Act;

- b. to advance equality of opportunity between persons who share any of the protected characteristics listed in section 149(7); and
  - c. to foster good relations between persons who share a relevant protected characteristic and those who do not.
7. Complying with section 149 may involve treating some people more favourably than others, but only to the extent that that does not amount to conduct which is otherwise unlawful under the new Act.
8. The need to advance equality of opportunity involves having due regard to the need:
  - a. to remove or minimise disadvantages which are connected to a relevant protected characteristic and which are suffered by persons who share that characteristic,
  - b. to take steps to meet the needs of persons who share a relevant protected characteristic and which are different from the needs other people, and
  - c. to encourage those who share a relevant characteristic to take part in public life or in any other activity in which participation by such people is disproportionately low.
9. The need to foster good relations between different groups involves having due regard to the need to tackle prejudice and promote understanding. Compliance with these duties may involve treating some persons more favourably than others; but that does not permit conduct which would otherwise be prohibited by the 2010 Act.
10. One way in which the Council can show that it has had due regard to the statutory needs is by assessing the impact of proposed budget and services changes on service users and Council-paid staff, particularly in relation to people with a 'protected characteristic'. These protected characteristics are:
  - **Age** (people of different age groups)
  - **Disability** (e.g. physical or sensory impairments, long-term illnesses and conditions, hidden impairments such as a heart condition, frailty, learning disabilities or mental health problems)
  - **Gender** (men/women) and **Gender Reassignment**
  - **Ethnicity** (including **Black, Asian, Minority Ethnic groups, Gypsies & Travellers**)
  - **Religion/belief** (different faiths, including people with no religion or belief)
  - **Sexual orientation**
  - **Marriage/civil partnerships**
  - **Pregnancy & Maternity**

In addition to the characteristics above, the Council has also considered the effect of the proposals on particular communities (e.g. urban, rural, deprived).

11. The assessment process the Council has undertaken involves:
  - a) A high-level Council wide assessment of the broad impacts on the groups and interests defined above. This paper provides an update on one produced in December 2010 regarding last year's budget, and does not include proposals that have already been implemented or agreed by Cabinet (e.g. libraries, early intervention service).
  - b) An individual service-level assessment of the potential impact on vulnerable groups for each proposal, where a significant change to the service is proposed. These are available on-line [here](#).
  - a) Proposals may change as a consequence of the political process or consultation with service users and residents. We will therefore revise assessments as required once formal decisions on individual service changes are taken. Comments on draft and initial assessments are therefore welcome in ensuring they have fully considered the impact on communities and staff.

### **Early Assessment of possible implications of proposals**

#### **Communities**

12. Four of our districts are classified as rural, and almost one-third of our population (28%) lives in settlements of fewer than 10,000 people. Nearly half of the population (49%) live in the market towns with more than 10,000 people. The largest settlement is Oxford with a population of close to 150,000 (23% of the county population).
13. Oxfordshire has generally low overall levels of deprivation. However there are ten areas in Oxford City and two in Banbury which fall within the 20% most deprived areas in the country. It should be noted that deprivation extends beyond these specific areas, but may be hidden within the overall affluence of an area potentially making the impact on individuals even greater.
14. Possible impacts of the proposals on different communities:
  - A number of proposals may affect service provision and access to services from rural areas. These include:
    - Proposals to maintain the 44 Children's Centres while changing/managing management arrangements where appropriate, developing area-based clusters in line with the seven early intervention service areas and local need.
    - As part of the adult social care transformation programme there are proposals to concentrate the building based health and wellbeing resource centres in the seven market town/ city areas as part of a new day opportunities service.

## Mitigation

15. We hold and actively use data and other evidence to ensure that the council, as far as is possible, is aware of and able to serve the needs of particular communities and groups in Oxfordshire. For example our strong Joint Strategic Needs Assessment<sup>1</sup> is a critical tool, being used across adults and children's services to identify groups where particular needs are not being met and who are experiencing poor outcomes. We also have a Needs Analysis focusing on children and young people that supports the council's Children and Young People's Plan. We will use these tools as a guide to support individual service level impact assessments and ensure that decisions that are being taken, as far as possible, protect services for those most in need.
- The Council will continue to provide pump priming funding to support 'community self help' options through the Big Society Fund, which has already helped to develop community run youth provision in cases where funding has ceased. Other projects that have been funded include providing opportunities for troubled families to engage in relationship-building activities, a village cinema to be run by volunteers, a radio station run by young people with learning disabilities, and providing show clearing and gritting equipment and organise teams of volunteers to clear the streets in winter weather. We will review the Big Society Fund at the end of 2011/12 to understand whether the expressions of interest, applications, and projects receiving funding show that the fund is only being accessed by particular groups, or if more could be done to encourage high quality applications that will benefit people that share protected characteristics.
  - Although proposals may involve some merging of some Children's Centres, services will continue to be offered through existing Children's Centre premises and through a variety of community venues. The Council's Rural Children's Centre will continue to target children and families living in rural communities, including the provision of outreach services via three mobile children's centre buses.
  - The proposed day opportunities development would be supported by mobile health and wellbeing services that would specifically be targeted at older people in rural areas, alongside community based options that people can bid for in their local community. Wherever they live, people will be encouraged to use their personal budget in their local community to meet their needs.
  - We will continue to make available existing Council buildings for community use where suitable sustainable and financially viable proposals are put forward. However the Council has costs and liabilities for these buildings and will need to reduce this financial

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<sup>1</sup> <http://www.oxfordshirepct.nhs.uk/your-health/jsna.aspx>

burden as part of its budget reduction strategy. A combination of building and community solutions like the home library service will make this more affordable.

- Particularly in rural areas we recognise that access to services can be a problem for some groups, notably older people who do not drive and people with disabilities. The Council subsidises rural bus services in many areas, and it has been demonstrated in the past two years that subsidy can be reduced without a detrimental impact on service provision due to reduced tender prices and more subsidised routes becoming commercially viable. However more broadly we will continue to promote and support community transport provision.
- We are continuing to develop a framework to enable the 'Big Society' to flourish in Oxfordshire. We know that we have a healthy voluntary and community sector in the county and that there are many individuals and organisations who will want to take an active role in their communities. We will work with them to limit the impact of any service changes and ensure that individuals and communities are able to help themselves.

### **Age and disability**

16. 18% of the population is over pension age (males 65 years, females aged 60 years) and this is expected to increase to over 20% by 2031. Numbers of the very elderly (85 years plus) are projected to more than double by 2031. At the time of the 2001 Census 13% of residents reported having a limiting long-term illness, health problem or disability which limited their daily activities or work.
17. As well as those issues identified in the 'Communities' section above, possible impacts of the proposals on older people and those with a disability include:
  - Older people and those with disabilities are more likely to be users of social care than the rest of the population. Proposals for changes to the payment regime for aspects of adult social care to may lead to increased costs for those in receipt of social care.

### **Mitigation**

18. The Council's approach to social care is moving towards self directed support. This means that individuals will take responsibility for their own care and will be able to arrange the provision of services most beneficial to them. As the commissioner of services in future the council will play a role in clustering suppliers and managing the costs of services.

### **Gender**

19. Possible differential impacts of the proposals on men and women:

- Women use some public services more than men. For example there are more women in old age than men and therefore women are more likely to need social care.
- The proposals for changes to adult social care funding assume a greater dependence upon informal carers to continue caring. We know that two thirds of carers are women (carers survey 2009).
- Over 80% of the Council's workforce are women (rises as high as 96% in some services such as Early Years). Job losses may therefore affect women in greater numbers. The scale of the savings required will make job losses necessary and the only alternative to staff redundancies will be to transfer cuts in services to customers.

### Mitigation

- As far as possible we are proposing to protect our spending on adult social care, moving towards self-directed support as set out above.
- Spending on carers has been protected in the proposals in recognition of their contribution
- We will continue to carefully monitor the impact of changes to the workforce as a result of the budget proposals, to ensure employment policies are applied fairly and to minimise any disproportionate impact on any particular groups. The Council annually publishes a review of its progress in promoting equality of opportunity within the workforce.

### Black, Asian, Minority Ethnic groups

20. Black, and minority ethnic groups or those of other white backgrounds account for 13% of the county's population (varying from 7% in West Oxfordshire to 27% in Oxford City).
21. As well as those issues identified in the discussion above, possible impacts of the proposals on different minority groups include:
  - Many minority ethnic groups will be only occasional users of universal services but there are some groups with specific needs such as refugees, recent migrants and victims of racial harassment. A possible risk to this group is around proposals to alter the school improvement offer and changes to the way schools receive funding for specialist support to speakers of other languages, travellers and others, which in future they will receive directly.
  - People from minority ethnic groups are more likely than average to be in households on low incomes.

### Mitigation

- Schools will continue to receive funding to commission services directly thus mitigating the impact of the proposed changes. However there may be some impact on schools with low numbers of ethnic minority young people who therefore struggle to achieve economies of scale.
  - We will use our Joint Strategic Needs Assessment and other evidence to ensure that as far as possible we protect service provision for those most in need.
  - The wider provision of personal budgets will provide greater choice in the way all people who use adult social care services are able to meet their individual needs.
22. At this stage we have not identified any particular impacts of our proposals on the groups below, beyond those issues discussed above.
- **Religion/belief** (different faiths, including people with no religion or belief)
  - **Sexual orientation**
  - **Marriage/civil partnerships**
  - **Pregnancy & Maternity**