CABINET – 29 JANUARY 2013
BUSINESS STRATEGY & SERVICE AND RESOURCE
PLANNING 2013/14 – 2016/17

Cross Cutting Community Impact Assessment – First Assessment
January 2013

1. Introduction and approach to budget setting

1.1. The Council's budget proposals were published on 4 January 2013 in papers going to Scrutiny Committees. Comments from Scrutiny Committees will be fed back to Cabinet for consideration on 29 January 2013. The final budget will be set by the Council on 19 February 2013.

1.2. Halfway through our four-year financial plan, we are on track to deliver the £119m savings already announced in previous council budgets. A combination of the recent Government funding announcement and growing pressures in some areas means a further £46m needs to be saved between 2013/14 and 2016/17. Some of the savings will be reinvested in services – particularly children's services and adult social care. The Council is committed to protecting frontline services and avoiding redundancies as far as possible

1.3. However the council is conscious that the proposed budget for 2013/14 to 2016/17 still includes some significant changes and these may have an impact on communities and particular groups defined in equalities legislation. This report therefore provides a summary of key issues arising in the full assessments produced for each change.

2. The Council's Assessment Process

2.1. Section 149 of the Equalities Act 2010 ("the 2010 Act") imposes a duty on the Council to give due regard when exercising its functions to the need to:
  - eliminate any conduct which is prohibited by or under the 2010 Act;
  - advance equality of opportunity between persons who share any of the protected characteristics listed in section 149(7); and
  - foster good relations between persons who share a relevant protected characteristic and those who do not.

2.2. 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.

2.3. The need to advance equality of opportunity involves having due regard to the need:
  - to remove or minimise disadvantages which are connected to a relevant protected characteristic and which are suffered by persons who share that characteristic,
  - to take steps to meet the needs of persons who share a relevant protected characteristic and which are different from the needs of other people, and

- 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.

2.4. 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.

2.5. 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 and **Gender Reassignment**
Ethnicity (including race and nationality)
Religion/belief (including people with no religion or belief)
Sexual orientation
Marriage and civil partnerships
Pregnancy & Maternity

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

2.7. The assessment process the Council has undertaken involves:
- A high-level Council wide assessment of the broad impacts on the groups and interests defined above. This paper considers the impacts of key budget proposals, but does not examine proposals that have already been implemented or agreed by Cabinet.
- 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 the council's public website here.

2.8. 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 and help ensure we have fully considered the impact of decisions on communities and staff.

2.9. 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 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 also publish datasets on the Oxfordshire Insight website, making key information about the county available to staff, partner organisations, and the wider community. We use all 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.

Early Assessment of possible implications of proposals

3. Rural and Deprived Communities

3.1. 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 152,000 (23% of the county's population).

3.2. 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.

3.3. The reduction in the highways maintenance fund and the removal of the Area Stewards Fund in 2014/15 might mean a reprioritisation of resources onto roads with greater traffic flows. However, by prioritising the overall highway maintenance budget (including rural routes) on the basis of good asset management principles we will ensure that the condition and safety of the county's roads, as well as issues arising from customer feedback are addressed within the scope of the available resources. On-going dialogue with local councillors and rural communities will ensure that maintenance issues are captured and prioritised accordingly.

4. Age and disability

4.1. 16% of the population is over pension age (now 65 years for both genders) 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. In the 2011 Census 14% of residents reported having a limiting long-term illness, health problem or disability which limited their daily activities or work.

4.2. As well as those issues identified in the "Communities" section above, older people and those with disabilities are more likely to be users of social care than the rest of the population.

4.3. Extra funding has become available to relieve some of the pressure on the older people's pool budget caused by rising demand and complexity of cases, and we are increasing resources available to social work teams helping to reduce delays in getting people discharged from hospital. We will

continue to invest in both preventive and reablement services to help older people and people with disabilities remain independent, safe, and less likely to need more complex care later.

4.4. The Council continues to move social care to self-directed support, meaning that individuals can take responsibility for their own care and are 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.

5. Gender

5.1. 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.

5.2. 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). Spending on carers has been protected in the proposals in recognition of their contribution and the vital role they play.

5.3. Over 80% of the Council's workforce is comprised of female workers (rising as high as 96% in some services such as Early Years). Changes in staffing or conditions might therefore affect women in greater numbers. 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.

6. Ethnicity

6.1. People from minority ethnic backgrounds make up 15.4% of the county's population, with variations across the districts ranging from 6.6% in West Oxfordshire to 34.7% in Oxford City. In addition, 14.1% of the county's population were not born in the UK.

6.2. Two proposals may affect service provision and access to services for people of particular ethnicities or nationalities:
- Adjustments to Hate Crime reporting Service (MANTRA funding)
- The introduction of human rights assessments for care leavers over the age of 18 who are asylum seekers with All Rights Exhausted status and moving a specific budget for asylum seekers into the general fund for Adult Social Care.

6.3. Stop Hate UK now provide the hate-crime reporting service so that people in Oxfordshire remain able to confidentially report hate crimes and receive appropriate support.

6.4. In the past, the council has provided specific budgets for asylum seekers. A reduction in the number of eligible asylum seekers needing support has meant that this additional funding has not been required at the levels we have been setting aside for it. It is also likely that changes to both to legislation and how the UK Border Agency operates will result in fewer asylum seekers being eligible in the future. There will be no change to the service provided to this group as the council has a duty to support eligible individuals regardless of the budget and the way they are supported will not change.

6.5. In addition, the council proposes to introduce human rights assessments (HRA) for care leavers who are 18 or over and are asylum seekers with All Rights Exhausted (ARE) status. The UK Border Agency (UKBA) and the Home Office are expecting all local authorities to undertake these assessments and will only fund local authorities for 3 months after the decision of ARE status if a HRA has been undertaken. The outcome of the majority of these assessments will be that support services should cease and they should be assisted in returning to their country of origin. Most of our AREs are already connected within their communities, friends and occasionally family by the time their status is confirmed. Withdrawing services should not therefore generally result in destitution. All are offered Voluntary Assisted Returns to their country of origin, which offers financial support for flights and start up funds, and where they would not be destitute and could work.

6.6. As well as those issues identified in the discussion above, many minority ethnic groups such as refugees, recent migrants and victims of racial harassment may have particular service needs which are impacted by the budget proposals. 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.

We will continue to support all those who are eligible for our services, including those with illnesses and conditions that are more prevalent amongst minority groups such as HIV/AIDS discussed below. 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.

7. Sexual orientation

7.1. The removal of funds that have been budgeted for in previous financial years but then not required from the HIV/AIDS budget might have an impact on communities and groups where incidence of HIV/AIDS is higher than county or national norms. Although transmission rates of HIV/AIDS in Oxfordshire are not significantly associated with particular sexual orientations, the incidence of HIV/AIDS is much greater amongst men who have sex with men than amongst the heterosexual population as a whole. In addition, there is also a high prevalence amongst people from Black African backgrounds, regardless of sexuality. The existing service is partly delivered through venues and materials targeted at these high-risk groups. As the surplus funding has not been spent in this area in recent years and there is no

evidence of any unmet needs, there should not be a negative impact if this funding is removed from the budget.

8. Other protected characteristics

8.1. At this stage we have not identified any specific impacts of our proposals on people sharing the protected characteristics listed below, beyond those issues discussed above:

Religion/belief
Gender reassignment
Marriage/civil partnerships
Pregnancy & Maternity

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Background papers: Nil
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