

**EQUALITY IMPACT ASSESSMENT**

<b>STRATEGY/ACTION: Review of Adults Transport</b>	<b>Department: Services for People</b>
<b>Person responsible for assessment: Ann Workman</b> <b>Person responsible for strategy where different from above:</b>	<b>Date of assessment: 20 01 12</b>

**Brief description of strategy, partners and those who will be affected by its delivery:**

**This is a proposal to develop and implement a policy for eligibility for Transport provided by Adult Social Care and to implement the Fairer Charging Policy in relation to transport costs (i.e people will be financially assessed to contribute to the cost of the transport they are provided with. This was deferred from the implementation of the Fairer Contributions Policy in 2010, until a Transport Policy was developed.**

**The following financial savings have been identified against this proposal:**

<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>	<b>2015/16</b>
<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>£000</b>
<b>30</b>	<b>40</b>	<b>50</b>	<b>50</b>

## Introduction

This is a generic document that will require interpretation in particular circumstances. If, after reading the guidance, you require further information on how to implement the assessment, please contact Peter Roberts, Social Enterprise Development Manager 01325 388713

**Q.1 Is your strategy and the actions it proposes accessible to everyone within the community? Bear in mind any economic, social, environmental, physical, intellectual, cultural, linguistic, technological or other barriers.**

Issue	Yes	No	If yes, what evidence do you have to demonstrate this?	If no, what do you plan to do to remove barriers to access?
Equality Act 2010 Protected characteristics:				
Age	✓		The implementation of the Supported Transport policy will ensure that those who are eligible for social care support are able to access this support via suitable transport means. Individual assessments of transport needs will ensure that where people are not able to use universally available transport or receive the state benefits intended to meet these needs, supported transport will be provided.	
Disability	✓		The implementation of the Supported Transport policy will ensure that those who are eligible for social care support are able to access this support via suitable transport means. Individual assessments of transport needs will ensure that where people are not able to use universally available transport or receive the state benefits intended to meet these needs, supported transport will be provided.	

Issue	Yes	No	If yes, what evidence do you have to demonstrate this?	If no, what do you plan to do to remove barriers to access?
Gender reassignment		✓		It is proposed that this policy will be applied to all individuals who are eligible to receive support from Adult Social Care. This will include older people and individuals with a physical impairment, mental health problem or learning disability. However, the policy does not exclude any of the other protected characteristics.
Pregnancy and Maternity		✓		
Race		✓		
Religion or belief		✓		
Sex		✓		
Sexual orientation		✓		
Marriage and Civil Partnership		✓		
Local Priorities:				
Geographical impacts		✓		
Carers		✓		
Young People leaving care		✓		

Issue	Yes	No	If yes, what evidence do you have to demonstrate this?	If no, what do you plan to do to remove barriers to access?
Gypsies & Travellers		✓		
Refugees & Asylum Seekers		✓		
Unemployed or low income		✓		
People with spent criminal convictions		✓		

**Q.2 (a) For whatever reason, does your strategy and the actions it proposes treat any group differently from others?**

Yes	✓
No	

**If you have answered 'yes', please specify those individuals or groups affected and whether the impact has the potential to be adverse.**

The policy will have the potential to impact adversely on older and disabled people who have been assessed as eligible to receive support from Adult Social Care, as they may no longer qualify for the provision of supported transport, if they are able to meet their own transport needs, either independently or with support. Those who receive the mobility component of Disability Living Allowance will normally be expected to meet their transport costs from this state benefit. Those individuals who continue to be eligible for supported transport, will be financially assessed to identify whether they are able to contribute towards the cost of the transport that is provided.

**(b) What needs to be done to prevent any potentially adverse impact?**

The policy will not be applied to individuals until they have received a review of their social care needs. Those individuals who remain eligible for the provision of supported transport, will then have a review of their Financial Assessment to determine whether they are able to contribute towards the cost of the transport which is provided.

**Q.3 (a) Does your strategy promote equality? (e.g. does it contain actions that demonstrate a consideration of community cohesion and the needs of the members of Darlington’s diverse communities)**

Yes	✓
No	

**If you have answered ‘yes’, please give examples of how equality is promoted.**

The policy aims to target the provision of supported transport to those in greatest need and those who have no alternative means of accessing their social care support. The principles of the policy are to promote independence and inclusion. The policy aims for those who have alternative means of transport or who have the financial resources to meet their transport needs to use these wherever possible. The use of universally available transport promotes social inclusion as well as the independence, choice and control of the individual.

**Q.4 In the past three years, have you consulted with any of the following groups regarding the development of your strategy?**

Group	Yes	No	If yes, please summarise evidence (Who? When? What were the outcomes?)	If no, are you satisfied that the strategy has no impact on this group?
Age	✓		Consultation events have been held as part of the 2012/13 Talking Together MTFP Consultation, these included:	
Disability	✓		Public consultation events open to all of the Darlington community Public consultation events specifically targeted at disabled, young	

Group	Yes	No	If yes, please summarise evidence (Who? When? What were the outcomes?)	If no, are you satisfied that the strategy has no impact on this group?
Gender reassignment	✓		people and older people Town Crier Publications On Line Forums Attendance at local community Groups and Action Groups ie Darlington Association on Disability In addition to the open meetings to consult on the proposed policy Drop In Sessions organised at a range of adult social care service provisions, were held to enable those directly affected to give their views. This included services for older people, those with a physical impairment and those with a learning disability.  All comments and potential impacts were recorded and will be analysed and included in the DEIA	
Pregnancy and Maternity	✓			
Race	✓			
Religion or belief	✓			
Sex	✓			
Sexual orientation	✓			
Marriage and Civil Partnership	✓			
Geographical impacts	✓			
Carers	✓			
Young people leaving care				
Gypsies & Travellers	✓			
Refugees & asylum seekers	✓			
Unemployed or low waged	✓			
People with spent criminal convictions	✓			

## **Guidance and Definitions**

The Equality Act 2010 combined over 100 pieces of legislation into one Act and introduces nine protected characteristics for which due regard is required in ensuring discrimination is prevented. These are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, marriage and civil partnership. The Public Sector Equality Duty came into force on April 5th, 2011.

The following definitions and information will be useful in determining impacts of strategies, actions or services on specific groups.

### **Age:**

Having a particular age (e.g. 32 year-olds) or being within an age group (e.g. 18-30 year olds). Discrimination on the grounds of age under the Equality Act 2010 applies from the age of 18 years.

### **Disability:**

Physical or mental impairment and the impairment has a substantial and long-term adverse effect on person's ability to carry out normal day-to-day activities.

### **Gender Reassignment:**

A process which is undertaken under medical supervision for the purposes of reassigning a person's sex by changing physiological or other characteristics of sex, and includes any part of such a process.

The Sex Discrimination (Gender Reassignment) Regulations 1999 outlaw direct discrimination against transsexuals on the grounds of "gender reassignment".

Transgender: An individual, who appears as, wishes to be considered as or has undergone surgery to become a member of the opposite sex.

Transsexual: An individual who believes that their apparent gender is not their actual gender and may seek gender reassignment surgery to alter their body to meet their belief. Transsexuals may appear similar to transvestites, but have a different intent.

Transvestite: An individual who wears the clothing of the opposite gender to express their feminine/masculine side, or for relaxation. Also known as cross-dressing.

For the purposes of completing the impact assessment, consideration ought to be given, in the first instance for example, to the arrangements made (or which could be made/agreed upon), regarding the use of toilets and any other gender specific facilities.

**Pregnancy and Maternity:**

Pregnancy is the condition of being pregnant. Maternity is the period after giving birth. It is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, including as a result of breastfeeding.

**Race:** includes colour, nationality (including citizenship), ethnic origin or national origins.

**Religion or Belief:**

Religion means any religion including a reference to a lack of religion. Belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live it for it to be included.

This area presents, perhaps, the greatest difficulty in terms of providing a definition, not least because of the close links/overlaps in some instances with culture and race/ethnicity.

The Employment Equality (Religion or Belief) Regulations 2003 ban discrimination in employment and vocational training on grounds of religion or belief. Under the regulations, religion is defined as being 'any religion, religious belief, or similar philosophical belief'. This does not include any philosophical or political belief unless that belief is similar to a religious belief. Courts and tribunals may consider a number of factors when deciding what is a 'religion or belief' (e.g. collective worship, clear belief system, profound belief affecting way of life or view of the world)'.

For the purposes of completing the impact assessment, consideration ought to be given to a range of factors, examples of which are set out below. It is recognised, however, that whilst knowledge of the central tenets of those religions most likely to be encountered would help ensure that appropriate provision is made with regard to the delivery of and access to services, such knowledge might not necessarily be held.

- Is provision made, when dealing with customers, for them to be dealt with, if requested, by persons of the same sex?
- Does the way in which your service is delivered restrict access to certain religious groups that have days of religious observance restricting or preventing them accessing services on those days?



- Is your service delivered in locations or environments that might preclude or restrict access to certain religious groups?

**Sex:** Man or woman.

The Sex Discrimination Act 1975 ensured that no person is treated less favourably because of his or her gender or because he or she is married.

**Sexual Orientation:** Whether a person's sexual attraction is towards

- Persons of the same sex (lesbians and gay men)
- Persons of the opposite sex (heterosexuals)
- Persons of the same sex and opposite sex (Bisexuals).

It does not cover sexual practices such as sado-masochism and paedophilia.

The Employment Equality (Sexual Orientation) Regulations 2003 ban discrimination in employment and vocational training on grounds of sexual orientation. Sexual orientation is defined as an orientation towards:

**Marriage or Civil Partnership:** Discrimination on grounds a persons marital status or civil partnership is illegal under the Equality Act 2010.