

Due Regard Statement

| | |
|---|---|
| Name of the 'policy': | BRANDON TRUST CONTRACT FOR THE PROVISION OF LEARNING DISABILITY SERVICES IN GLOUCESTERSHIRE |
| Person(s) responsible for completing this statement | Jane Reid, Outcomes Manager – Learning Disabilities |
| Briefly describe the activity being considered including aims and expected outcomes | <p>To serve notice to terminate the Agreement dated 31st March 2006 made between Gloucestershire County Council the Cheltenham & Tewkesbury PCT and the Brandon Trust for the provision of Learning Disabilities Services in Gloucestershire and procure new individual packages of care and support as necessary to ensure continued service delivery from 1 April 2016.</p> <p>Gloucestershire County Council has been working with Brandon Trust since the start of the Contract in April 2006. The Contract currently covers the support needs of 145 vulnerable people in the county, offering a combination of residential care and supported living at a cost of circa £10.7m per annum. The average cost per person is currently £1,304.00 per week.</p> <p>It is intended that the contract with Brandon Trust will be terminated at the point of the 10 year break clause (5 years earlier than the original end date in 2021) therefore terminating on 31st March 2016 with the objective of re-commissioning individual packages with a more person centred approach. The principles of personalisation and self-directed support cannot be applied within a "block contract" with a single provider.</p> <p>The Council seeks to ensure that:</p> <ul style="list-style-type: none"> • all service users have choice and control over their lives and live as independently as possible • the people with the most need have access to the most support |

- the services we use deliver quality and value for money

Documenting use of sufficient information

Please document below the data and information sources that you have used to understand the needs, participation and experiences of each protected group. Evidence must be gathered as the policy is developed and used to inform decisions.

Service User Data: We have looked at data for Service Users supported by the Brandon Trust under the current Contract split by:

- Age
- Banding
- Gender
- Religion
- Ethnicity
- Disability
- Service Type
- Mapped by Postcode

Data Gaps

Our data was unavailable for gender re-assignment. The data was incomplete or limited on the following:

- sexual orientation
- religion

Data on the above, alongside refreshed data on the other characteristics would be collated and recorded at the point of the individual FACE Assessment as part of the usual care management process:

- Brandon Trust Service Users who affected by the de-commissioning of the current contract will be prioritised for an assessment.
- The assessment will take place in good time to enable individual consultation on options for the future.
- The Council has identified a team of 4 workers from the Learning Disabilities Delivery arm who will work specifically on assessments and support plans related to the Brandon Trust Service Users.
- This will ensure timely assessments, consistency of approach and a good overview of the process across the Contract.

Service information (if applicable) or Needs analysis (if applicable)

| | |
|--|--|
| <p>Who is responsible for delivering the service?</p> | <p>Current Provider – Brandon Trust</p> <p>It is possible that Brandon Trust will not continue to support individuals after the end date of the current contract although they will have the opportunity, alongside other providers, to submit proposals to support individuals.</p> |
| <p>Service user data/Needs analysis information</p> | |

Age

We have looked at the age breakdown across the County for service users currently supported under the Brandon Trust Contract:

| <i>Percentages</i> | Unknown | 0-17 | 18-40 | 41-64 | 65+ | Total |
|----------------------|----------------|-------------|--------------|--------------|------------|--------------|
| Brandon Trust | 0% | 0% | 10% | 68% | 23% | 100% |
| Cheltenham | 0% | 0% | 31% | 58% | 12% | 100% |
| Cotswolds | 0% | 0% | 6% | 75% | 19% | 100% |
| Forest | 0% | 0% | 7% | 80% | 13% | 100% |
| Gloucester | 0% | 0% | 3% | 63% | 34% | 100% |
| Stroud | 0% | 0% | 0% | 100% | 0% | 100% |
| Tewkesbury | 0% | 0% | 4% | 63% | 33% | 100% |
| Total | 1% | 2% | 39% | 45% | 13% | 100% |

Disability

We have compared the Brandon Trust Service Users with the LD population known to Gloucestershire County Council:

| Disability | Brandon Trust | | Overall LD Total | |
|---|---------------|------------|------------------|------------|
| | Number | Percentage | Number | Percentage |
| Arthritis | 13 | 10% | 75 | 3% |
| Autism/autistic spectrum | 18 | 13% | 246 | 9% |
| Cardiac condition | 6 | 4% | 77 | 3% |
| Dementia (including Alzheimers) | 7 | 5% | 36 | 1% |
| Cancer | 0 | 0% | 11 | 0% |
| Depression/anxiety | 10 | 7% | 191 | 7% |
| Diabetes | 8 | 6% | 83 | 3% |
| Epilepsy | 26 | 19% | 314 | 12% |
| Fracture | 0 | 0% | 1 | 0% |
| Head injury (incl. Acquired brain injury) | 0 | 0% | 15 | 1% |
| Neurological condition | 7 | 5% | 113 | 4% |
| Other mental health problem | 9 | 7% | 211 | 8% |
| Other physical illness | 30 | 22% | 414 | 16% |
| Physical impairment | 23 | 17% | 319 | 12% |
| Physical injury | 2 | 1% | 39 | 1% |
| Respiratory condition | 3 | 2% | 74 | 3% |
| Sensory impairment | 11 | 8% | 163 | 6% |
| Sensory impairment (dual) | 0 | 0% | 2 | 0% |
| Serious infection (viral or bacterial) | 1 | 1% | 8 | 0% |
| Severe mental illness | 1 | 1% | 23 | 1% |
| Stroke | 4 | 3% | 18 | 1% |
| (None recorded) | 65 | 48% | 1520 | 57% |

Sex

| | Female | Male | Unknown | Total |
|--------------|------------|------------|-----------|-------------|
| Cheltenham | 46% | 54% | 0% | 100% |
| Cotswolds | 72% | 28% | 0% | 100% |
| Forest | 40% | 60% | 0% | 100% |
| Gloucester | 44% | 56% | 0% | 100% |
| Stroud | 25% | 75% | 0% | 100% |
| Tewkesbury | 59% | 41% | 0% | 100% |
| Total | 47% | 53% | 0% | 100% |

Race (including Gypsy & Traveller)

| | | |
|--------------------|-----|-----|
| A1:White British | 126 | 93% |
| A3:White Other | 6 | 4% |
| B4: Mixed Other | 2 | 1% |
| D1:Black Caribbean | 2 | 1% |

Gender reassignment

Although this data is not specifically held on ERIC as far as we are aware there are no Service Users currently included in this provision that have undergone a gender reassignment.

Renewed FACE Assessments will capture this data for each individual.

Gender reassignment would not impact on a Service User's ability to access the service currently or on their access to services in the future.

| | | | | | | | | | | | | | |
|---|---|--------------|---|----|-------------------|----|-----|----------------|---|----|---------|----|-----|
| <p>Marriage & civil partnership</p> | <p>There are currently no Service Users within the Brandon Trust provision who are married or in a civil partnership. Renewed FACE Assessments will capture this data for each individual.</p> | | | | | | | | | | | | |
| <p>Pregnancy & maternity</p> | <p>There are currently no Service Users within the care of Brandon Trust under this contract who are pregnant. Renewed FACE Assessments will capture this data for each individual.</p> | | | | | | | | | | | | |
| <p>Religion or Belief</p> | <table border="1"> <tr> <td>Atheist/None</td> <td>9</td> <td>7%</td> </tr> <tr> <td>Church of England</td> <td>45</td> <td>33%</td> </tr> <tr> <td>Roman Catholic</td> <td>3</td> <td>2%</td> </tr> <tr> <td>(blank)</td> <td>79</td> <td>58%</td> </tr> </table> | Atheist/None | 9 | 7% | Church of England | 45 | 33% | Roman Catholic | 3 | 2% | (blank) | 79 | 58% |
| Atheist/None | 9 | 7% | | | | | | | | | | | |
| Church of England | 45 | 33% | | | | | | | | | | | |
| Roman Catholic | 3 | 2% | | | | | | | | | | | |
| (blank) | 79 | 58% | | | | | | | | | | | |
| <p>Sexual Orientation</p> | <p>Information held within the ERIC system is incomplete however as far as we are aware there are currently no Service Users who are lesbian, gay or bi-sexual.</p> | | | | | | | | | | | | |
| <p>Other information</p> | <p>Renewed FACE Assessments will capture this data for each individual. The individual's sexual orientation will not affect their access to this service or any service in the future.</p> | | | | | | | | | | | | |

Other information

None

Workforce data

If the proposed activity does not affect GCC staff, please state 'Not affected below'.

| | |
|------------------------------------|--------------|
| Total number of GCC staff affected | Not affected |
| Age | Not affected |
| Disability | Not affected |
| Sex | Not affected |
| Race (including Gypsy & Traveller) | Not affected |
| Gender reassignment | Not affected |
| Marriage & civil partnership | Not affected |
| Pregnancy & maternity | Not affected |
| Religion or Belief | Not affected |

| | |
|--------------------|--------------|
| Sexual Orientation | Not affected |
|--------------------|--------------|

Consultation and engagement

| | |
|--------------------------------|---|
| Service Users | Consultation will not happen until the decision to serve notice on the Contract is agreed. We are seeking Cabinet agreement in good time to enable consultation in time for re-commissioning for April 2016. |
| Workforce | See above |
| Partners | Brandon Trust Project Group (internal stakeholders from Legal, Procurement, Risk, Audit, Finance etc.) Learning Disabilities Leadership Group (Learning Disabilities Commissioners and Delivery) |
| External providers of services | The Brandon Trust are aware of our intention to serve notice and we will be consulting with Brandon Trust and all other external providers in order to prepare the market for the re-commissioning of individual packages of support as required. |

Equality analysis: Summary of what the evidence shows and how has it been used

| Protected group | Challenge or opportunity considered and what we did |
|-----------------|--|
| Age(A) | <ul style="list-style-type: none"> The impact of re-commissioning individual packages of support will have a positive impact on all groups. Service Users will, through the care management process, be empowered to exercise a choice of provider and will, where appropriate, also be given the opportunity to take a Direct Payment. |

| | |
|---|---|
| | <ul style="list-style-type: none"> • The care management process will consider how any characteristic has an impact on the type of service an individual is likely to require into the future. • We do not consider that the re-commissioning will have a negative impact on any of the nine protected characteristics. |
| Disability (D) | As above |
| Sex (S) | As above |
| Race (including Gypsy & Traveller)(R)) | As above |
| Gender reassignment(GR) | As above |
| Marriage & civil partnership (MCP) | As above |
| Pregnancy & maternity (PM) | As above |
| Religion and/or Belief (RAOB) | As above |
| Sexual | As above |

| | |
|------------------------|--|
| Orientation(SO) | |
|------------------------|--|

Strengthening actions: Planning for further improvements

Please outline here what actions are required for further improvements to address challenges or opportunities, for example:

- Arrangements for continued/new engagement with stakeholders, staff, service users
- Plans to close data gaps across any of the protected characteristics through reviewed contract management arrangements
- Identify other plans already underway to address the challenges or opportunities identified in this statement
- Share findings with partner organisations.

If none, state 'none' below.

Action Plan

| Action | Who is accountable | Time frame |
|---|---------------------------------|------------|
| Further work with Project Group (internal stakeholders) to prepare for re-commissioning | Jane Reid | Ongoing |
| Consultation with Service Users across Brandon Trust | Jane Reid and The Brandon Trust | Late 2014 |
| Market engagement with external providers | Jane Reid | Early 2015 |
| Care Management process with individuals starts | Learning Disabilities Delivery | Mid 2015 |

Monitoring and Review

Please indicate what processes/actions will be put in place to keep this 'activity' under review. For example will progress be monitored/ reported to a board, scrutiny committee, project board etc

This statement will be reviewed on an on going basis once the notice has been served on the Brandon Trust Contract.
A Project Team is already in place for the implementation of the re-commissioning project to facilitate the processes. Jane Reid, Outcomes Manager, will be responsible for providing updates to the Project Board on a regular basis.
Once the implementation has started, monitoring of feedback from stakeholders will take account of protected characteristics and inform this document.

Sign off and Scrutiny

By signing this statement off as complete you are confirming that 'you' have examined sufficient information across all the protected groups and used that information to show due regard to the three aims of the general duty. This has informed the development of the activity

Senior level sign off:

Linda Wen

Date:

21.3.14

I am in agreement that sufficient information and analysis has been used to inform the development of this 'activity' and that any proposed improvement actions are appropriate and I confirm that I as the decision maker have been able to show due regard to the needs set out in section 149 of the Equality Act 2010.

Name of relevant Portfolio Holder/Cabinet Member: Cllr Kathy Williams

Signed by Portfolio Holder/Cabinet Member:

K.B. Williams

Date:

24.3.14

Publication

If this statement accompanies cabinet paper it will be published as part of the cabinet report publication process. Statements accompanying cabinet reports are also published on our website. If this statement is not to be submitted with a cabinet paper please maintain a copy for your own records that can be retrieved for internal review and also in case of future challenge.

