



London Borough of Hammersmith & Fulham

Cabinet

EQUALITIES IMPACT ASSESSMENTS

2 February 2015

| <u>Item</u> | | <u>Pages</u> |
|-------------|--|--------------|
| 9. | FRAMEWORK AGREEMENT FOR SEMI-INDEPENDENT LIVING SERVICES | 1 - 12 |

Equality Impact Analysis Tool

| | |
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| Overall Information | Details of Full Equality Impact Analysis |
| Financial Year and Quarter | 2015/16 Quarter One |
| Name and details of policy, strategy, function, project, activity, or programme | <p>Title of EIA: FRAMEWORK AGREEMENT FOR SEMI-INDEPENDENT LIVING SERVICES</p> <p>Short summary: The Children’s Service Directorate has carried out a review of semi-independent living services for Looked After Children aged 16+ and Care Leavers in the London Borough of Hammersmith & Fulham. The council provides accommodation and support to enable young people to make a successful transition from being looked after to becoming a care leaver and then on to living independently. Following the review, a Semi-independent Living Commissioning Strategy for these services was developed. It included a recommendation to establish a Framework Agreement for the commissioning of additional semi-independent living placements to complement the 71 units of in-borough accommodation and support. If approved, the recommendation will lead to the replacement of current spot purchasing arrangements across a high number of providers with a Framework Agreement with up to thirty private and voluntary sector providers.</p> |
| Lead Officers | <p>Name: Terry Clark Position: Lead Commissioner – Social Care Email: terry.clark@rbkc.gov.uk Telephone No: 020 7938 8336</p> |
| Lead Borough | Terry Clark, Lead Commissioner – Social Care, Children’s Services Commissioning Directorate |
| Date of completion of final EIA | 15 January 2015 |

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| Section 02 | Scoping of Full EIA |
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Plan for completion

Timing: The Cabinet Report 'FRAMEWORK AGREEMENT FOR SEMI-INDEPENDENT LIVING SERVICES' is being considered on 2nd February 2015. Cabinet is recommended to agree that:

- i. Approval is given to undertake a tender exercise for a Multi-Supplier Framework Agreement for Semi-independent Living Services for LAC aged 16+ and Care Leavers;
- ii. Approval is given to name the Royal Borough of Kensington and Chelsea and Westminster City Council as participating authorities on the Framework
- iii. That Cabinet give prior approval to delegate to the Leader of the Council and the Cabinet Member for Children and Education the decision to appoint suppliers onto the Framework for Semi-independent Living Services in line with the procurement process outlined in the report up to a maximum value of £5,000,000 (in excess of this figure the decision will revert to full Cabinet).
- iv. That Cabinet delegate to the Cabinet Member for Children and Education the authority to enter into call-off contracts, with no volume guaranteed with all providers appointed to the framework agreement.
- v. That Cabinet delegate to the Executive Director of Children's Services authority to issue individual placement agreements with call-off providers in line with section 24 of the councils Contract Standing Orders.

Current arrangements

Current provision is varied across the borough in terms of need, quality and models of service delivery. The council places many young people in borough through block contracts with Supporting People Housing providers. Further to the recommendations of the SIL Commissioning Strategy, 71 units of in-borough supported accommodation and support will be provided through a single block contract from 1 May 2015. Submitted tenders are currently being evaluated and this provision will be subject to a separate EQiA at the time of contract award.

There are circumstances where it is not possible for a Care Leaver to be placed in supported accommodation using the block provision. Firstly, as an Inner London local authority, there is limited capacity for placements located in the borough. In addition, there could be safeguarding issues preventing a young person from remaining in the borough, or if a young person was placed in care outside of the borough, they may wish to remain in that area after leaving care.

Additional and out-of-borough placements are currently spot purchased as required from private and voluntary providers by the Placements Team in the Children's Services Commissioning Directorate. It is an unregulated market in which quality and price varies hugely.

Proposed Framework Agreement

The proposed Framework Agreement would replace spot purchasing as the current main contracting approach to placements from the private and voluntary sector. It is anticipated that 45 - 50 FTE SIL placements per annum would be commissioned by Hammersmith and Fulham from the Framework Agreement.

A framework agreement would include a core of semi-independent living providers and establish the underlying standards, service specification, terms and conditions for all placements commissioned through it. It would also fix the unit costs from each provider, which would be submitted as part of the procurement process. The Placements Team would subsequently 'call off' placements for individual young people, specifying any particular requirements to tailor the service to their needs.

The Framework Agreement would be split into 4 lots: Generalist; Remand into Care; Specialist; Parent & Child. There will be a maximum of thirty providers across all 4 lots.

The framework agreement will provide a more robust approach to quality when commissioning placements, as consistent standards and terms and conditions will be set out when establishing the framework. It will also release capacity in the Placements Team to focus on monitoring placement quality by reducing the resource requirement of identifying and negotiating placements. Call-off arrangements will allow choice and flexibility for commissioners and young people and services will continue to be tailored to meet the particular needs of individuals as they are placed.

Analyse the impact of the policy, strategy, function, project, activity, or programme

Analyse the impact of the policy on the protected characteristics (including where people / groups may appear in more than one protected characteristic). You should use this to determine whether the policy will have a positive, neutral or negative impact on equality, giving due regard to relevance and proportionality.

| Protected characteristic | Borough Analysis | Impact: Positive, Negative, Neutral |
|--------------------------|---|--|
| Age | <p>The changes to the commissioning of SIL additional placements relate to services for young people in the 16 – 25 age range. Services will mainly be provided up to the age of 21, although some young people may be able to access services up to the age of 25 if they are pursuing a programme of education or training.</p> <p>The Commissioning Strategy has projected that the numbers of young people aged 16/17 and 18+ requiring semi-independent living placements will remain constant until 2018. The level of provision will therefore be maintained, with an increase in the proportion of young people accessing in-borough provision.</p> | Neutral |

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| Disability | <p>Some young people accessing the services through the Framework Agreement may have support needs related to physical, sensory and / or learning disabilities.</p> <p>As placements must be matched with the particular needs of each individual at call-off, the Placements Team will be able to ensure that the provider can deliver appropriate services.</p> <p>The Framework Agreement will include a Lot for Specialist placements for care leavers with additional needs that are more difficult to address, including mental health issues and learning disabilities. This will include up to 5 specialist Providers who will supply accommodation and support to meet the needs of these service users.</p> <p>There is a risk that some providers on the framework may not be able to provide specialist services for young people with disabilities or severe mental health needs. If a young person with disabilities or mental health needs requires more specialist accommodation and support services, these would be commissioned on a case by case basis by the Placements Team, independent of call-off from the Framework Agreement.</p> | Positive |
| Gender reassignment | Gender reassignment has not been identified as relevant to these recommendations. | Neutral |
| Marriage and Civil Partnership | Marriage and Civil Partnership has not been identified as relevant to these recommendations. | Neutral |
| Pregnancy and maternity | The Framework Agreement will include a Lot for Parent & Child placements for Care Leavers with a young child or children. This will include up to 5 Providers who will supply accommodation and support which ensures parents can live in a safe and secure environment with their child. Providers will supply a support package that enables positive parenting and supports the family's transition into independent living. | Positive |

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| | <p>The dedicated Lot will help to ensure that young parents receive specialist support and accommodation with similar service users which best meets their needs.</p> | |
| Race | <p>Service users will have a wide range of ethnic backgrounds. Based on the LAC profile of the borough, it is likely that a high proportion of Care Leavers will be from certain BME groups.</p> <p>Providers structure their services according to the needs of service users and the range of provision will be maintained to provide accommodation and support for all within this protected characteristic. As part of the service specification and standards, providers will be required to ensure anti-discriminatory practices and promote equality and diversity in all forms.</p> | Neutral |
| Religion/belief (including non-belief) | <p>Service users will have a wide range of cultural and religious backgrounds.</p> <p>Providers structure their services according to the needs of service users and the range of provision will be maintained to provide accommodation and support for all within this protected characteristic. As part of the service specification and standards, providers will be required to ensure anti-discriminatory practices and promote equality and diversity in all forms.</p> | Neutral |
| Sex | <p>Male and female service users will access placements through the Framework Agreement. The Framework Agreement will include suitable provision to ensure access to placements for all service users regardless of gender.</p> <p>Some existing providers offer male-only or female-only services and they may join the Framework Agreement. These providers will be able to deliver services for young people who would benefit from accommodation and support in a same-sex environment.</p> <p>There is a risk that all providers on the Framework Agreement will offer mixed-sex support services only. If a young person requires single-sex accommodation, these would be commissioned on a case by case basis by the Placements Team, independent of call-off from the Framework Agreement.</p> | Neutral |

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| | Sexual Orientation | <p>Service users will have a wide range of sexual orientation.</p> <p>Providers structure their services according to the needs of service users and the range of provision will be maintained to provide accommodation and support for all within this protected characteristic. As part of the service specification and standards, providers will be required to ensure anti-discriminatory practices and promote equality and diversity in all forms.</p> | Neutral |
| | <p>Human Rights or Children's Rights If your decision has the potential to affect Human Rights or Children's Rights, please contact your Borough Lead for advice</p> | | |

| Section 03 | Analysis of relevant data Examples of data can range from census data to customer satisfaction surveys. Data should involve specialist data and information and where possible, be disaggregated by different equality strands. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|------------------------------------|---|--------|-----|------------|--------|-----|------------------|--------|-----|--|-------|--|--|------------|--|--|------------------|--|--|------|--------|-----|------|--------|-----|------|--------|-----|-------------|----|----|----|----|----|----|----|----|----|-------------|----|----|----|----|----|----|----|----|----|-------------|----|----|----|----|----|----|----|----|----|-------------|----|----|----|----|----|----|----|----|----|
| Documents and data reviewed | <p>As part of the commissioning review, projections of the borough's Care Leaver population were calculated up to 2018. In order to inform the levels of support anticipated, the Leaving Care teams also categorised their current Care Leaver cohort (May 2014) as high, medium or low needs, based upon individual practitioner judgement. This provides an indication of the current levels of support required for each cohort through semi-independent living – 29% High, 39% Medium, 32% Low. High and medium support needs includes provision for mental health issues and learning disabilities.</p> <p><u>Projected LAC and Leaving Care Populations, LBHF, 2014 - 2018</u></p> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr> <th rowspan="2"></th> <th colspan="3">Total</th> <th colspan="3">LAC 16 /17</th> <th colspan="3">Care Leavers 18+</th> </tr> <tr> <th>High</th> <th>Medium</th> <th>Low</th> <th>High</th> <th>Medium</th> <th>Low</th> <th>High</th> <th>Medium</th> <th>Low</th> </tr> </thead> <tbody> <tr> <td>2014</td> <td>64</td> <td>85</td> <td>70</td> <td>18</td> <td>24</td> <td>20</td> <td>46</td> <td>61</td> <td>50</td> </tr> <tr> <td>2015</td> <td>67</td> <td>88</td> <td>73</td> <td>18</td> <td>24</td> <td>20</td> <td>49</td> <td>64</td> <td>53</td> </tr> <tr> <td>2016</td> <td>65</td> <td>86</td> <td>71</td> <td>19</td> <td>25</td> <td>21</td> <td>46</td> <td>61</td> <td>50</td> </tr> <tr> <td>2017</td> <td>66</td> <td>87</td> <td>72</td> <td>19</td> <td>25</td> <td>21</td> <td>47</td> <td>62</td> <td>51</td> </tr> </tbody> </table> | | | | | | | | | | Total | | | LAC 16 /17 | | | Care Leavers 18+ | | | High | Medium | Low | High | Medium | Low | High | Medium | Low | 2014 | 64 | 85 | 70 | 18 | 24 | 20 | 46 | 61 | 50 | 2015 | 67 | 88 | 73 | 18 | 24 | 20 | 49 | 64 | 53 | 2016 | 65 | 86 | 71 | 19 | 25 | 21 | 46 | 61 | 50 | 2017 | 66 | 87 | 72 | 19 | 25 | 21 | 47 | 62 | 51 |
| | Total | | | LAC 16 /17 | | | Care Leavers 18+ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | High | Medium | Low | High | Medium | Low | High | Medium | Low | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2014 | 64 | 85 | 70 | 18 | 24 | 20 | 46 | 61 | 50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2015 | 67 | 88 | 73 | 18 | 24 | 20 | 49 | 64 | 53 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2016 | 65 | 86 | 71 | 19 | 25 | 21 | 46 | 61 | 50 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2017 | 66 | 87 | 72 | 19 | 25 | 21 | 47 | 62 | 51 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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| 2018 | 67 | 89 | 74 | 19 | 26 | 22 | 48 | 63 | 52 |
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Based on the usage of semi-independent living placements by the total LAC 16/17 and Care Leaver population in 2013/14, the proportion of the projections requiring one SIL placement for one full year (1 FTE) will be approximately 53%.

Projected number of SIL placements required (FTE), LBHF, 2014 – 2018

| | Total | | | LAC 16 /17 | | | Care Leavers 18+ | | |
|-------------|-------|--------|-----|------------|--------|-----|------------------|--------|-----|
| | High | Medium | Low | High | Medium | Low | High | Medium | Low |
| 2014 | 34 | 45 | 37 | 10 | 13 | 11 | 24 | 32 | 27 |
| 2015 | 36 | 47 | 39 | 10 | 13 | 11 | 26 | 34 | 28 |
| 2016 | 34 | 46 | 38 | 10 | 13 | 11 | 24 | 32 | 27 |
| 2017 | 35 | 46 | 38 | 10 | 13 | 11 | 25 | 33 | 27 |
| 2018 | 36 | 47 | 39 | 10 | 14 | 11 | 25 | 33 | 28 |

71 units of accommodation and support will be provided in-borough through a block contract. Based on the projections, therefore, the Framework Agreement will provide between 45 – 51 FTE placements for young people from Hammersmith & Fulham per annum.

New research

If new research is required, please complete this section
N/A

Section 04

Consultation

Complete this section if you have decided to supplement existing data by carrying out additional consultation.

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| <p>Consultation in each borough</p> | <p>Service users were involved in a short life working group to help contribute to the development of the SIL Commissioning Strategy. The group met on three occasions to discuss a range of topics, which included review of current arrangements, design of outcomes and future delivery, such as what to expect in your their first week of a placement and key skills. The final session focused on how care leavers can be involved in the procurement process.</p> <p>Commissioners, social work managers and practitioners were involved and consulted throughout the development of the SIL Commissioning Strategy. A Project Group formed of stakeholder representatives oversaw the project and practitioners were involved in two workshops to review current arrangements and recommendations.</p> <p>Over 40 people from 26 different provider organisations attended a service development engagement event in June. A further market engagement event was held on 22 September which was attended by 36 people from 28 different potential providers.</p> |
| <p>Analysis of consultation outcomes for each borough</p> <p>Page 8</p> | <p>Through the review, social work practitioners, commissioners, young people and providers identified common themes as key areas for service development:</p> <ul style="list-style-type: none"> • Improved focus on outcomes instead of prescriptive support hours; • Greater consistency in service quality and standards, supported by enhanced monitoring arrangements; • Increased clarity of roles and responsibilities for providers, social workers, commissioners and young people; • Consistent processes for referrals, move-in, move-on and ongoing arrangements to improve placement resilience. <p>Young people’s views were central to the review of existing arrangements and planning for future services. Their ideas included:</p> <ul style="list-style-type: none"> • More needs to be done to reduce support levels at the right times, in order to prevent young people from relying on the service; • More opportunities for group work with other young people would be a good way of developing life skills and would help address the isolation experiences by some young people in semi-independent living; • More ‘supervision’ sessions with their support worker to monitor their progress towards agreed outcomes, including what life skills they have developed. |

Implementing the Framework Agreement will provide an additional mechanism for identifying and commissioning placements for vulnerable young people leaving care. There may be some changes to existing provider organisations for young people but the proposal will introduce a more robust practice to ensure quality and standards of service. Young people accessing services through the Framework Agreement will be aged between 16 – 25 and will come from a range of ethnic, cultural and religious backgrounds. The number of providers on the Framework Agreement will ensure a range of provision and options for all needs, including sex and disability. There will be no reduction in the levels of service provision so access to services will not be restricted as a result of this proposal.

Two lots on the Framework Agreement will provide additional support for particular needs. The Specialist lot will include providers to deliver services for young people with mental health issues and / or learning disabilities. The Parent and Child lot will provide tailored services for young parents in a safe and secure environment. It is believed that these lots will have a positive impact on the protected characteristics of disability and pregnancy / maternity.

If a young person has particular needs that cannot be met by providers on the Framework Agreement, including those related to protected characteristics, then commissioners will be able to commission specialist placements independent of the Framework Agreement. These will be structured around the same standards and terms and conditions of the Framework to ensure consistency of service quality for all young people.

The proposal will primarily affect provider organisations as the Framework Agreement will rationalise the number of providers used for placements, as well as setting a defined set of standards, terms and conditions and monitoring arrangements. A number of organisations currently providing placements to the council, including SMEs, may not do so in the future if they do not meet the quality standards set down in the proposed tender. If a young person is currently placed with an organisation that is not successful in joining the Framework Agreement, then there will be a managed transfer to a new provider on the Framework Agreement as appropriate. However, this will be undertaken according to a thorough Transfers policy which is to be developed as part of the commissioning arrangements.

It is believed that there will be an overall positive impact for young people using these services, who will have access to better quality services as a result of robust commissioning practices and defined service requirements and quality standards. The Framework Agreement will allow commissioners to build more collaborative relationships with a smaller number of providers, enabling them to work in partnership to provide services and resolve issues for young people. The Framework Agreement will also assist commissioners in managing and developing the market, ensuring there is appropriate supply to the required standard to meet service demand over the coming years. As there is currently no statutory regulation of the market, the proposed Framework Agreement will allow the council to more closely monitor the provision and build a culture of continuous improvement amongst providers, resulting in enhanced services and improved outcomes for young people.

See Section Six for further details on how the council will establish the Framework Agreement and ensure the

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| | positive impact for young people outlined above is delivered. |
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| Section 06 | Reducing any adverse impacts and recommendations | | | | | |
| Outcome of Analysis | <p>There are a number of mechanisms and processes to be put in place to ensure that implementing a Framework Agreement achieves the quality required, does not discriminate against any protected characteristics, and delivers improved services for young people.</p> <p>In order to join the Framework Agreement, providers will need to successfully progress through a rigorous procurement process, which is more robust than current spot purchasing arrangements. Providers will first need to demonstrate that they meet the minimum requirements for the service such as skills, knowledge and experience. This will also include the requirement to meet high Quality Standards, which will cover their ability to provide support to all potential service users regardless of background. Quality will also be assessed against a core service specification. The Service specification will clearly state that providers must not discriminate on any grounds in delivering services to those in the relevant client group and it will require providers to promote equality and diversity as part of the service delivered. It will also set an expectation that providers will include staff from a diverse range of cultures, ethnicities and backgrounds which reflect the cohort of service users and can support them appropriately.</p> <p>The Framework Agreement will provide the main commissioning approach for securing placements additional to in-borough block contract provision. However, all providers will join the Framework Agreement on a no-volume basis and commissioners will be able to spot purchase from providers outside of the Framework Agreement if required. This means that if young people require specialist or additional services that cannot be met by providers on the Framework Agreement, then commissioners will be able to identify and purchase a service which meets the particular requirements of the individual.</p> | | | | | |
| Page 10 | | | | | | |

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|--------------------|--|------------------------|------|--------------------------|------------------|-------------------------------------|
| Section 07 | Action Plan | | | | | |
| Action Plan | Note: You will only need to use this section if you have identified actions as a result of your analysis | | | | | |
| | Issue identified | Action (s) to be taken | When | Lead officer and borough | Expected outcome | Date added to business/service plan |

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|--|--|--|----------------|--|---|--------------|
| | Movement of young people to placement with Framework Agreement providers | Development of Transfers policy to identify if and when it is appropriate to transfer young people | June 2015 | Terry Clark, Lead Commissioner – Social Care, Children’s Services | Young people experience a smooth transition to providers on the Framework Agreement | January 2015 |
| | | Implementation of Transfers policy to manage movement of young people to providers on Framework Agreement | From July 2015 | | | |
| | | If young person should not transfer, existing provider to ensure service meets Framework Agreement specification and standards | From July 2015 | | | |

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| Section 08 | Agreement, publication and monitoring |
| Chief Officers’ sign-off | Name: Andrew Christie Position: Executive Director of Children’s Services Email: andrew.christie@lbhf.gov.uk |
| Key Decision Report (if relevant) | Date of report to Cabinet/Cabinet Member: 02 / 02 / 2015 Key equalities issues have been included: Yes |
| Lead Equality Manager | Name: David Bennett |

(where involved)

Position: Acting Head of Change Delivery
Date advice / guidance given: 21/01/2015
Email: david.bennett@lbhf.gov.uk
Telephone No: 020 8753 1628