



Derby City Council

# Equality impact assessment form

**Directorate:** Public Health

**Service area:** Targeted Sexual Health Promotion

**Name of policy, strategy, review or function  
being assessed:**

Proposed ending of service contracts for targeted sexual health  
promotion/education

**Date of assessment:** 6<sup>th</sup> January 2014 & 9<sup>th</sup> January 2014

**Signed off by:** Derek Ward, Director of Public Health

**Cabinet or Personnel Committee's decision**

## Equality impact assessment

This is our equality impact assessment form to help you equality check what you are doing when you are about to produce a new policy, review an older one, write a strategy or plan or review your services and functions. In fact you need to do an equality impact assessment whenever a decision is needed that affects people. This completed form should be attached to any Cabinet or Personnel Committee report to help elected members make their decisions by taking the equality implications into account. Equality impact assessments **must be done before** decisions are made. Include the Cabinet or Personnel Committee's decision on the front sheet when you know it.

You'll find that doing these assessments will help you to:

- understand your customers' and communities needs
- develop service improvements
- improve service satisfaction
- demonstrate that you have been fair and open and considered equality when working on re-structuring.

Don't do the form by yourself, get a small team together and make sure you include key people in the team such as representatives from our Diversity Forums and employee networks and you could invite trade union representatives too – the more knowledge around the table the better. Ask our Lead on Equality and Diversity for help with useful contacts – we have a team of people who are used to doing these assessments.

You'll need to pull together all the information you can about how what you are assessing affects different groups of people and then examine this information to check whether some people will be negatively or positively affected. Then you'll need to look at ways of lessening any negative effects or making the service more accessible – this is where your assessment team is very useful and you can also use the wider community.

Agree an equality action plan with your assessment team, setting targets for dealing with any negative effects or gaps in information you may have found. Set up a way of monitoring these actions to make sure they are done and include them in your service business plans.

When you have completed the assessment, get it signed by your Head of Service or Service Director and send it to our Lead on Equality and Diversity to publish on our website.

By the way, we need to do these assessments as part of our everyday business, so we get our equality responsibilities right and stay within the law – Equality Act 2010.

## **Equality groups**

These are the equality groups of people we need to think about when we are doing equality impact assessments and these people can be our customers or our employees...

- Age equality – the effects on young and older people
- Disability equality – the effects on the whole range of disabled people, including Deaf people, hearing impaired people, visually impaired people, people with mental health issues, people with learning difficulties and people with physical impairments
- Gender equality – the effects on both men and women and boys and girls
- Marriage and civil partnership equality
- Pregnancy and maternity equality - women who are pregnant or who have recently had a baby, including breast feeding mothers
- Race equality – the effects on minority ethnic communities, including newer communities, gypsies and travellers and the Roma community
- Religion and belief or non- belief equality – the effects on religious and cultural communities, customers and employees
- Sexuality equality – the effects on lesbians, gay men and bisexual people
- Trans gender – the effects on trans people

In addition, we have decided to look at the effects on people on low incomes too as we feel this is very important.

## **Contacts for help**

Ann Webster – Lead on Equality and Diversity

[ann.webster@derby.gov.uk](mailto:ann.webster@derby.gov.uk)

Tel 01332 643722

Minicom 01332 242133

Mobile 07812 300079

Maggie Fennell – 01332 643731 Minicom 01332 242133

## **The form**

We use the term ‘policy’ as shorthand on this form for the full range of policies, practices, plans, reviews, activities and procedures.

Policies will usually fall into three main categories...

- Organisational policies and functions, such as recruitment, complaints procedures, re-structures
- Key decisions such as allocating funding to voluntary organisations, budget setting
- Policies that set criteria or guidelines for others to use, such as criteria about school admissions

## **1 What’s the name of the policy you are assessing?**

Ending of service contracts for targeted sexual health promotion/education services provided by:

1. Derbyshire Positive Support
2. Derbyshire Friend
3. Young Person’s Sexual Health Promotion & Support Services

## **2 The assessment team**

Team leader’s name and job title – Zara Hammond,  
Public Health Management Associate  
Derby City Council

Other team members:

<b>Name</b>	<b>Job title</b>	<b>Organisation</b>	<b>Area of expertise</b>	<b>Date(s) attended:</b>
Zara Hammond	Public Health Management Associate	Derby City Council	Public Health	6/1/14 & 9/1/14
Bernadette Brown	Public Health Manager	Derby City Council	Sexual Health Lead Commissioner	6/1/14 & 9/1/14
John Moore	Service Manager	Derbyshire Positive Support	HIV Prevention & Support	6/1/14
Andy Cave	CEO	Derbyshire Friend	LGBT community	6/1/14 & 9/1/14
Greg Pickup	Grant Fund Manager	DCC		6/1/14
Andrew Beresford	LGBT Officer	Unison	Union	6/1/14
Hope Cave	Service User	Derbyshire Positive Support		6/1/14
Toni Montinaro	CEO	Staffordshire Buddies	HIV Services	6/1/14
Ann Webster	Equality & Diversity Lead	Derby City Council	Equality & Diversity	6/1/14 & 9/1/14
Steve Barr	Derbyshire Friend Trustee	Derbyshire Friend	LGBT Health & Wellbeing	6/1/14 & 9/1/14
Sandra Dawkins	Community & Engagement Worker	Healthwatch	Health & Social Care	6/1/14
Sean Woolley	Project Manager	Young People Sexual Health Support Service	Sexual Health	6/1/14 & 9/1/14
Christine White	Social Worker	Derbyshire Positive Support	Social Work	6/1/14
Andrew Colclough	Chair	Southern Derbyshire PPG Network	HIV/AIDS, LGBT & patient engagement	6/1/14 & 9/1/14
Julie Mehigan	Health & Wellbeing Project Manager	Derbyshire Friend	LGBT community	6/1/14 & 9/1/14
Catherine Gatford	HIV Specialist Nurse	GUM Derby Royal Hospital	HIV	6/1/14
Bonnie Mach	Service User	Derbyshire Positive Support	Pregnancy, life experience	6/1/14
Wayne Dary	Service User	Derbyshire positive Support	HIV services	6/1/14
Shane Richards	Buddy	Derbyshire Positive Support	HIV support	6/1/14
Darren Kemplay	Service User	Derbyshire Positive Support		6/1/14
Margaret Morris	Volunteer/Trustee	Derbyshire Positive Support	HIV/Diversity/Faith/Religion	6/1/14
Mark Bowyer	Chair	Derbyshire Positive Support	Primary Care, HIV Support services, Secondary Care	6/1/14 & 9/1/14

**3 What are the main aims, objectives and purpose of the policy? How does it fit in with the wider aims of the Council? Include here any links to the Council Plan or your Directorate Service Plan.**

This Equality Impact Assessment contributes to the decision making process for the proposed ending of service contracts for targeted sexual health promotion/education that form part of the Derby City Council Revenue & Budget Proposal 2014/15. Appendix A provides a brief summary of the provider organisations and services that are commissioned by Derby City Council and are being considered in the EIA.

Targeted sexual health promotion/education services were originally commissioned by the former Derby City NHS Primary Care Trust (PCT) in order to improve sexual health promotion/education for those communities/groups of people who may be at increased risk of sexual ill health and to reduce sexual health inequalities. Following the dissolution of the PCT and transition of Public Health to local authority on the 1<sup>st</sup> April 2013, existing contracts for these services moved to Derby City Council and were continued for the financial year 2013/14.

Like many other public sector organisations, Derby City Council is experiencing increased financial pressure as a direct result of austerity measures. Faced with unprecedented reductions in the funding available to deliver local services, the Council has the challenge of deciding how savings of £29 million can be achieved for the financial year 2014/15, with overall savings of £81 million needed to be found over the next three years.

Part of the budget proposals put forward to achieve these savings include a reduction in spending on existing public health commissioned services, including ending the service contracts for targeted sexual health promotion/education. Derby City Council has a duty to manage within the resources available. These proposals have been made in order for the Council to achieve a balanced budget for 2014/15 and so that the statutory sexual health services, which the Council is required to commission as part of their public health responsibilities, can be maintained (See Appendix D for summary definition of statutory sexual health services).

#### **4 Who delivers the policy, including any outside organisations who deliver under procurement arrangements?**

The service contracts for targeted sexual health promotion/education are currently delivered by providers in both the voluntary sector and Derby City Council's Children and Young People (CYP) Directorate. These providers are:

- Derbyshire Friend (Voluntary Sector)
- Derbyshire Positive Support (Voluntary Sector)
- Young People Sexual Health Promotion & Support Service (CYP Directorate)

Organisations affected may also deliver other services that are not commissioned by Derby City Council. The proposed ending of Derby City Council commissioned service contracts for delivery of targeted sexual health promotion/education has the potential to destabilise some of the affected providers. Derbyshire Friend and Derbyshire Positive Support have clearly stated that unless they are able to find alternative funding support, it may no longer be viable for them to continue and they will therefore be unable to deliver any additional services not commissioned by Derby City Council.

The potential impact on Derbyshire Friend is compounded by the 43.5% reduction in funding following savings made to Voluntary, Community and Faith Sector Grant Aid

Funding in 2013. Derbyshire Friend received £7, 392 for the financial year 2013/14 and this has now fallen to £4,174 for 2014/15.

## **5 Who are the main customers, users, partners, employees or groups affected by this proposal?**

Appendices A, B1, B2 & B3 provide a list of the organisations, services and their main service user groups.

Employees/staff of these organisations may also be affected by the proposal to end service contracts for targeted sexual health promotion/education if this results in organisation destabilisation or reduction in services delivered. This is also likely to include an effect on any volunteers or student placements hosted by services/organisations.

Decision makers should note the potential cumulative effect on those service users from equality groups who may be accessing one or more of the services affected by the proposed changes. In addition to this, organisations that work in collaboration with affected providers may be negatively affected by the proposed ending of targeted sexual health promotion/education if this results in an increased strain on their capacity to deliver services.

## **6 Who have you consulted and engaged with so far about this policy and what did they tell you? Who else do you plan to consult with? – tell us here how you did this consultation and how you made it accessible for the equality groups**

Consultation on the proposed ending of service contracts for targeted sexual health promotion/education has been carried out as part of the public consultation process for the Derby City Council Revenue & Budget Proposal 2014/15 – 2016/17. The consultation process was open to all stakeholders and residents in Derby.

This included:

- Derby City Council Revenue & Budget Proposal 2014/15 – 2016/17 public consultation available between 5/11/13 to 16/12/13. This comprised of online/electronic feedback, hard copy questionnaires, two public consultation evening events and was publicised via the Council website and media.
- Where requested, the Public Health Department have had meetings with affected providers to support them to respond to the consultation.

Results of the consultation on Derby City Council Revenue and Budget Proposals 2014/15 relating to public health sexual health services are provided on pages 6 & 7 of Appendix F.

## **7 Using the skills and knowledge in your assessment team, what do you already know about the equality impact of the policy on particular groups? Also, use any other information you know about such as any customer feedback, surveys, national research or data. Indicate by a tick for each equality group**

## **whether this is a negative impact, a positive one or if you are not sure**

Appendices B1, B2 & B3 give details of the Equality Groups affected by the ending of service contracts for targeted sexual health promotion/education and the impact that this will have on those Equality Groups. Organisations potentially affected may also deliver other services that are not commissioned by Derby City Council therefore this information has been gathered and presented in the following way:

- Equality groups affected that are the primary user group or make up a significant proportion of service users for the Derby City Council commissioned targeted sexual health promotion/education services.
- Equality groups that use services provided by the organisations affected but are not commissioned by Derby City Council

Supplementary information to illustrate services provided, service user feedback, levels of need and impact have been supplied by Derbyshire Positive Support and Derbyshire Friend. These are available in Appendices G, H & J.

**Important** - For any of the equality groups you don't have any information about, then make it an equality action at the end of this assessment to find out. This doesn't mean that you can't complete the assessment without the information, but you need to follow up the action and if necessary, review the assessment later.

## **8. From the information you have collected, how are you going to lessen any negative impact on any of the equality groups? How are you going to fill any gaps in information you have discovered?**

Appendices C1, C2 & C3 provides a summary of the impact on Equality Groups for each provider organisation and a summary of any mitigating actions identified to lessen the impact on the Equality Groups.

### **1. Derbyshire Positive Support (Appendix C1)**

The Council may provide support to limit the impact on those Equality Groups affected in the following ways:

- Encouraging mothers living with HIV on low incomes to access the Healthy Start Voucher scheme. Women who have a child under 4 years and are in receipt of certain benefits, or all under 18s, can receive vouchers worth £6.20 per week which can be used to buy formula milk. However there was no mitigation identified for those mothers who have no recourse to public funds and it was acknowledged that there may be barriers to accessing Healthy Start vouchers, such as, means testing. More information available at: <http://www.healthystart.nhs.uk/>.

- Encouraging organisations who work with older people and adult social care to train staff in awareness, education and support for people living with HIV.
- Existing Derby City Council service specifications/contracts with NHS Genito-urinary Medicine (GUM) & Contraception and Sexual Health (C&SH) services include raising awareness and providing education to the public and professionals around sexual health, HIV awareness and education. Derby City Council should seek to strengthen this provision however, it is unlikely that GUM and C&SH would have sufficient capacity to replace the level of specialist support that is provided by Derbyshire Positive Support.
- Working with GP surgeries and primary care to improve awareness, reduce stigma around HIV and improve access to services.
- Encourage existing Derby City Council sexual health providers to work with faith, religious and community groups
- Work with adult and children's social care services to improve access to assistance, understanding and awareness of the difficulties in accessing social care for those people living with HIV.
- Review and improve existing locally available sexual health information where relevant to ensure that it is accessible to all populations, including exploring the potential for providing targeted online information for young people.

## **2. Derbyshire Friend (Appendix C2)**

The Council may provide support to limit the impact on those Equality Groups affected in the following ways:

- Existing Derby City Council service specifications/contracts with NHS GUM & C&SH services include raising awareness and providing education to the public and professionals around sexual health, LGBT awareness, education and support. Derby City Council should seek to strengthen this provision however, it is unlikely that GUM and C&SH would have sufficient capacity to replace the level of specialist support that is provided by Derbyshire Friend.
- Encouraging organisations who work with older people and adult social care to train staff in awareness, education and support LGBT community sexual health and wellbeing issues.
- Working with existing providers of sexual health services to improve access to mainstream services for the LGBT community

- Review and improve existing locally available sexual health information where relevant to ensure that it is accessible to all populations, including exploring the potential for providing targeted online information for young people.

### 3. Young Person’s Sexual Health Promotion & Support Service (Appendix C3)

The Council may provide support to limit the impact on those Equality Groups affected in the following ways:

- Work with existing Derby City Council commissioned C&SH services to improve targeted outreach for young people and identify alternative C-card providers
- Work with schools and college to strengthen school based sexual health education for young people
- Working with primary care and existing sexual health services providers to explore ways of improving access to sexual health services for young people

## 9. What outcome does this assessment suggest you take? – you might find more than one applies. Please also tell us why you have come to this decision?

<b>Outcome 1</b>		<b>No major change needed</b> – the EIA hasn’t identified any potential for discrimination or negative impact and all opportunities to promote equality have been taken
<b>Outcome 2</b>		<b>Adjust the policy</b> to remove barriers identified by the EIA or better promote equality. Are you satisfied that the proposed adjustments will remove the barriers you identified?
<b>Outcome 3</b>	<b>Young Person Sexual Health Promotion &amp; Support Services</b>  <b>Derbyshire Positive Support</b>	<b>Continue the policy</b> despite potential for negative impact or missed opportunities to promote equality identified. You will need to make sure the EIA clearly sets out the justifications for continuing with it. You need to consider whether there are sufficient plans to reduce the negative impact and plans to monitor the actual impact
<b>Outcome 4</b>	<b>Derbyshire Positive Support</b>	<b>Stop and rethink</b> the policy when the EIA shows actual or potential unlawful discrimination

	<b>Derbyshire Friend</b>	
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**Our Assessment team has agreed Outcome number(s) and reasons for these decisions:**

**1. Ending of Targeted Sexual Health Promotion and Education Service Contracts provided by Derbyshire Positive Support**

The EIA team were unable to make a decision as to whether the appropriate conclusion should be **Outcome 3 or Outcome 4.**

Outcome 3 was considered to be potentially appropriate as although a negative impact would be expected, there is the possibility of providing some mitigating actions to lessen this. However, several members of the EIA team were leaning towards Outcome 4 as it was thought that there may be the potential for indirect discrimination because of the unique and specialist nature of the services provided to those people living HIV. The EIA team were not confident that the mitigating actions available would be sufficient to lessen the impact on this Equality Group and in some incidences were unable to identify any mitigating actions.

**Please note: HIV is considered a disability at the point of diagnosis under the Equality Act (2010)**

**2. Ending of Targeted Sexual Health Promotion and Education Service Contracts provided by Derbyshire Friend**

The EIA team decided that **Outcome 4** would be suitable given that there will be a negative impact across several equality groups but most notably a significant negative impact and potential for indirect discrimination because of the unique and specialist nature of services provided to and on behalf of the LGBT community. There is no other equivalent or alternative local service and the EIA team were not confident that any of the potential mitigating actions identified would sufficiently lessen the impact on this Equality Group. In some incidences the EIA team were unable to identify any mitigating actions.

**3. Ending of Targeted Sexual Health Promotion and Education Service Contracts provided by the Young Person's Sexual Health Promotion & Support Service**

The EIA team decided that **Outcome 3** would be suitable given that while there is likely to be a negative impact across several of the equality groups, there are a number of actions that can have been identified to mitigate this impact and ensure these changes do not have an excessive impact on any specific Equality Group.

Decision makers should note the potential for a cumulative effect on equality groups where there is an overlap of service users from equality groups, who may be accessing one or more of the services affected by the proposed changes.

Under Section 149 of the Equality Act (2010) decision makers have the responsibility to give due regard to:

- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the act.
- Advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it.
- Foster good relations between people who share a relevant protected characteristic and those who do not share it.

The Equality Act explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where their participation is disproportionately low

**If you have decided on Outcome 3, then please tell us here the justification for continuing with the policy. You also need to make sure that there are actions in the Equality action plan to lesson the effect of the negative impact. This is really important and may face a legal challenge in the future.**

## **10 How do you plan to monitor the equality impact of the proposals, once they have been implemented?**

The impact of the proposals will be monitored through arrangements with other existing providers of sexual health services, with provisions to monitor their equality performance and agree actions plans to improve this where necessary.

These arrangements include:

- a) A requirement to provide data on the equalities groups that are accessing services
- b) A requirement for providers to review their equality performance and to agree an action plan to improve this where identified

Further information can be found in the following 'Equality Action Plan' table (see below)

## Equality action plan – setting targets and monitoring

What are we going to do to improve equality?	How are we going to do it?	When will we do it?	What difference will this make?	Lead officer	Monitoring arrangements
<p>Minimise the impact of changes on Equality Groups by supporting other sexual health providers to strengthen their support for those groups previously accessing the services affected by budget proposals</p>	<p>As part of the negotiation and review of contracting arrangements and service specifications</p>	<p>By April 2014</p>	<p>Services may be delivered in new ways with additional support for those groups accessing the services affected by budget proposals</p>	<p>Public Health Commissioning Team</p>	<p>Existing performance monitoring data and delivery arrangements</p>
<p>Minimise the impact on Equality Groups by working with NHS and adult social care services to improve awareness and education around access to services for people with HIV, the LGBT community and young people</p>	<p>Explore the potential for improved HIV/LGBT/young people awareness, education training with local primary care and sexual health services.</p> <p>Explore the potential for improved HIV/LGBT awareness, education and training with local adult social care services</p>	<p>By April 2014</p>	<p>Potential to improve access to services and reduce stigma relating to HIV.</p> <p>Potential to improve access to services for the LGBT community/young people</p>	<p>Public Health Commissioning Team</p>	<p>NHS commissioner feedback and monitoring of service user feedback</p>

Minimising the impact on Equality Groups by working with maternity and health visiting services to improve awareness and access to Healthy Start vouchers, which can be used to purchase formula milk. More information available at: <a href="http://www.healthystart.nhs.uk/">http://www.healthystart.nhs.uk/</a>	Explore the potential for improved sign posting to Healthy Start vouchers with relevant services	By April 2014	Potential to improve access to vouchers that can be used to purchase formula milk for mothers living with HIV	Public Health Commissioning Team	Provider and service user feedback
Strengthen school based sexual health education for young people	Work with schools & colleges	On-going	Improve school based awareness, education and knowledge around sexual health for young people	Public Health Commissioning Team	Provider and service user feedback
Look at ways to improve targeted outreach for young people and identify alternative C-card providers	Work with existing Derby City Council commissioned Contraception and Sexual Health services	On-going	Fill gaps in access to C-card condom distribution/outreach for young people	Public Health Commissioning Team	Provider and service user feedback
Explore ways of improving access to sexual health services and sexual health information for all populations, especially young people	Working with primary care and existing sexual health services providers	On-going	Reduce stigma, embarrassment and barriers to accessing sexual health services for all populations, especially young people	Public Health Commissioning Team	Provider and service user feedback

**Make sure you include these actions in your service business plans**