

Impact Assessment

Version 2018

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Assessment of:	'Living well with a learning disability in Devon' – The joint strategy for adults with a learning disability in Devon 2018-2022
Service:	Devon County Council Adult Care & Health – please note that this impact assessment has been undertaken by Devon County Council on behalf of the Devon-wide Sustainability and Transformation Partnership which covers health and care services in Plymouth and Torbay as well as Devon.

Head of Service:	Tim Golby, Head of Commissioning - Adult Care & Health
Date of sign off by Head Of Service/version:	6 th September 2018
Assessment carried out by (incl. job title):	Louise Rayment, Commissioning Officer and Paul Giblin, Involvement Manager

Section 1 - Background

Description:	This is a high-level strategy setting the direction for the development of services and wider support for people with learning disabilities. The strategy encompasses the geographical area of Devon, which includes Plymouth and Torbay, and spans the work undertaken by the two Clinical Commissioning Groups and three local authority areas. It will support local authorities and the NHS to commission quality support that promotes the independence of people with learning disabilities, within the context of significant financial and capacity challenges.
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Reason for change/review:	This strategy updates the previous 2014-2017 strategy by taking into account legislative, organisational, demographic and wider environmental changes made since the last strategy. In particular, implementation of the Care Act, and the development and adoption of the principles and policies for the promotion of independence. The strategy sits within the overarching context of the Sustainability and Transformation Partnership (STP) for Devon. The STP is working towards an aligned health and care system across Devon, to continually improve the health and care of people living in Devon, Plymouth and Torbay. It seeks to address the three key aims of the 'NHS Five Year Forward View': to improve people's health and wellbeing, experience of care and cost-effectiveness.
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Section 2 - Impacts, options and recommendations

See sections 3, 4 and 5 for background analysis

Options Appraisal and Recommendations:	The previous Devon County Council strategy came to an end in 2017 and the options facing the local authority and Clinical Commissioning Group were to extend the existing strategy with no significant change, or to refresh it in the light of the circumstances listed in the previous section and as a joint strategy covering the STP area.
Social/equality impacts (summary):	Overall, this high-level strategy sets out aspirations that will have a positive impact on social / equality impacts as the strategy aims to promote independence and choice and control for people with learning disabilities.
Environmental impacts (summary):	N/A
Economic impacts (summary):	N/A

Other impacts (partner agencies, services, DCC policies, possible 'unintended consequences'):	This high-level strategy sets the principles and direction which will be followed when implementing plans to commission and deliver services for people with learning disabilities across the Devon health and social care economy.
How will impacts and actions be monitored?	As this is a high-level strategy, the actions required to implement the strategy are contained in plans for the development of support and services for people with learning disabilities. It is part of the learning disability elements of the disability transformation programmes within the three local authorities, two Clinical Commissioning Groups and the learning disability elements of the STP Mandate.

Background Analysis

This section describes how relevant questions and issues have been explored during the options appraisal.

Section 3 - Profile and views of stakeholders and people directly affected

People affected:	This strategy will affect adults with learning disabilities and young people with learning disabilities approaching adulthood and their parents/ carers in Devon, Plymouth and Torbay.
Diversity profile and needs assessment of affected people:	<p>There were 20,586 adults with a learning disability in Devon, Plymouth and Torbay in 2017 (over 2% of the Devon population).</p> <p>This includes 3,530 adults who receive social care services.</p> <p>Diversity profiles are separately published by each of the three local authorities, here are links to each of their Joint Strategic Needs Assessment (JSNA) web pages:</p> <p>Devon - http://www.devonhealthandwellbeing.org.uk/jsna/overview/</p> <p>Plymouth - https://www.plymouth.gov.uk/sites/default/files/Plymouth%20Report%20October%202017.pdf</p>

	<p>Torbay - http://www.torbay.gov.uk/DemocraticServices/documents/s50293/JSNA%20Appendix%201.pdf</p> <p>Age profile information for people with learning disabilities is not currently available. Work is underway to seek to include this information in time to be added to DCC's Cabinet papers by 2nd October.</p>
Other stakeholders (agencies etc.):	As this is a high-level strategy, the many other stakeholders include the police, employment agencies, the benefits agency, schools, independent providers of health and social care, district councils, housing associations, voluntary sector agencies and local communities.
Consultation process and results:	The STP partners have engaged people with learning disabilities and parents / carers on this strategy, along with relevant partners, providers and third sector agencies. The many elements of the strategy have been discussed as themes at the Learning Disability Partnership Boards and local Healthwatch organisations and the Living Options Devon Engagement Service were commissioned to undertake consultation on the overall strategy. It was also published on the Devon County Council 'Have Your Say' consultation webpage as a means of engaging the wider public.
Research and information used:	<p>Centre for Welfare Reform, 7 Keys to citizenship.</p> <p>National Development Team for Inclusion, Employment Support for Disabled People.</p> <p>Healthcare Quality Improvement Partnership, The Learning Disabilities Mortality Review Annual Report 2017.</p>

Section 4a - Social Impacts

Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief.

This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

We also need to ensure that human rights are protected. In particular, that people have:

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').
- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).

The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:

- Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
- Proportionate (negative impacts are proportionate to the aims of the policy decision)
- Fair
- Necessary
- Reasonable, and
- Those affected have been adequately consulted.

Characteristics	In what way can you eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage? Are there any lawful, reasonable and proportionate, unavoidable negative consequences?	In what way can you advance equality (meet needs, encourage participation, make adjustments for disabled people, 'close gaps'). In what way can you foster good relations between groups (tackle prejudice and promote understanding), if relevant?
All residents (include generic equality provisions):	This strategy is for people with learning disabilities and their parents / carers, not all residents.	
Age:	This is an adult social care and health strategy which also addresses the needs of children about to transition into adulthood. For young people with a learning disability, implementation of this strategy should have a positive impact as it aims to help improve their preparation for adulthood. For older people with a learning disability, implementation of this strategy should have a positive impact as the principles in it require consideration of the way that people with learning disabilities are now living for longer and have more life changes to cope with than before.	
Disability (incl. sensory, mobility, mental health, learning disability, ill	This strategy's prime purpose is to improve the lives of people with learning disabilities and their parents / carers and it should therefore have a positive impact.	

health) and carers of disabled people:		
Culture and ethnicity: nationality/national origin, skin colour, religion and belief:	The promotion of independence and choice and control aspired to within the strategy should mean that social care and other support to people with learning disabilities and their parents / carers is more sensitive to needs arising from these characteristics, so there should be a positive impact.	
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed).	There should be a positive impact because the strategy aims to promote choice and control for people with learning disabilities. This should mean that social care and other support provided to people with learning disabilities and their parents / carers is sensitive to needs arising from these characteristics.	
Sexual orientation and marriage/civil partnership:	The strategy aspires to promote independence and choice and control for people with learning disabilities. There should therefore be a positive impact on any needs arising from sexual orientation on marital status as social care and other support for people with learning disabilities and their parents / carers is more sensitive to needs arising from these characteristics. Indeed, the right to marry or enter a civil partnership should be strengthened for a person with learning disabilities under this strategy.	
Other socio-economic factors such as families, carers, single	Engagement has shown some correlation between low incomes and dependence on local social care provision. Care must therefore be taken to stimulate	

people/couples, low income, vulnerability, education, reading/writing skills, 'digital exclusion' and rural isolation.	the market in the right way to ensure that social care support for people with learning disabilities is not only available, but affordable.	
Human rights considerations:	The right to family life and the rights of people with learning disabilities to live their lives as they choose are prime considerations in this strategy.	

Supporting independence, wellbeing and resilience?

Give consideration to the groups listed above and how they may have different needs.

In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered and resourceful?	A prime purpose of this strategy is to support the promotion of independence for people with learning disabilities.
In what way can you help people to be safe, protected from harm, and with good health and wellbeing?	The strategy will be implemented within the context of the partner agencies safeguarding strategies and practices.
In what way can you help people to be connected, and involved in community activities?	Aspirations of this strategy include creating the conditions for people learning disabilities to lead meaningful lives within their communities.

Section 4b - Environmental impacts

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties.

The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please select from the table below and proceed to the 4c, otherwise complete the environmental analysis table):

	Devon County Council's Environmental Review Process
	Planning Permission
	Environmental Impact Assessment
	Strategic Environmental Assessment

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce, reuse, recycle and compost:	N/A	
Conserve and enhance wildlife:	N/A	
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	N/A	
Conserve and enhance Devon's cultural and historic heritage:	N/A	

Minimise greenhouse gas emissions:	N/A	
Minimise pollution (including air, land, water, light and noise):	N/A	
Contribute to reducing water consumption:	N/A	
Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level):	N/A	
Other (please state below):	N/A	

Section 4c - Economic impacts

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Impact on knowledge and skills:	There is potential for a small positive impact through the awareness raising that will accompany this strategy.	
Impact on employment levels:	There should be a small positive impact on the overall employment level in the County as part	

	of the strategy involves a campaign to get more people with learning disabilities into employment.	
Impact on local business:	There is potential for a small positive impact on local businesses if the learning disability employment campaign is successful as they will benefit from employing more people with learning disabilities	

Section 4d - Combined Impacts

Linkages or conflicts between social, environmental and economic impacts:	N/A
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Section 5 - 'Social Value' of planned commissioned/procured services:

How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?	Successful implementation of this strategy should improve the social wellbeing of people with learning disabilities and their parents / carers, and there should also be improvements in the social cohesion of local communities as people with learning disabilities play a greater part in them.
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