



Response to Request for Information

Reference FOI 101578
Date 14 October 2015

Independent Living Fund

Request:

1. Did your authority carry out an Equality Impact Assessment regarding the impact of the closure of the ILF and transfer of responsibilities to the Council including the decision whether or not to ring fence the transition funding? If so please send me a copy.

Yes.

Appendix 1

Stage 1- Initial Analysis Form

Equality Analysis - Stage One – Initial Analysis

What you are analysing?...Implementation of Independent Living Fund changes locally

Is it a; service function policy procedure

Is it? A new service, function, policy or procedure

An existing service, function, policy or procedure

An amended or revised service/ function/ policy/ or procedure

<p>1. What are the main aims and objectives or purpose of the service, function, policy or procedure (proposal)? What needs or duties is it designed to meet?</p>	<p>The aim of the policy is to support the local implementation of the national changes to the Independent Living Fund</p>
<p>2. Who is or will be affected by this proposal?</p>	<p>There are 78 people in the city in receipt of ILF who will be affected by the national changes</p>
<p>3. Is the proposal affected by external drivers for change? (e.g. new or amended legislation, national policy, external inspections etc.)</p>	<p>This proposal is being driven by a national decision and policy being implemented by the government</p>
<p>4. Who is responsible for defining and implementing this proposal?</p>	<p>National government have passed the responsibility for defining local implementation to local councils</p>
<p>5. How does Wolverhampton City Council interact with other bodies or organisations in relation to the implementation of the proposal?</p>	<p>Wolverhampton city council has worked collaboratively with the national ILF team to support the implementation Local social workers have attend 100% of all reviews undertaken by the ILF team</p>
<p>6. What analyses,</p>	<p>The national ILF team have provided the city council</p>

information or data relating to the proposal already exist?	with information about all of the currently recipients of ILF, their name, age, address the value of their ILF payment and their currnt ILF support plans.
7. Is there any evidence of higher or lower take up under the proposal for any particular groups? (from formal monitoring or informal anecdotal evidence)	The proposal will affect all ILF users in the country and the local decision to only fund eligible care needs going forward will affect all local ILF recipients. 90% of local ILF recipients have either a learning or physical disability
8. Is there any evidence that the proposal may be directly or indirectly discriminatory?	The national decision has been challenged through the high court and the government's decision has been upheld as being lawful and not discriminatory. The local decision to only fund eligible care needs will be implemented across all ILF recipients. People will be individually assessed and new care plans developed. No changes will be made to services that are part of the iLF packages until the assessment/social work review has been completed.
9. If the proposal is discriminatory, can it be justified?	
10. If the proposal is not discriminatory, is there any evidence that it has a differential impact?	The impact of applying the local policy of only funding care packages to meet eligible needs will be applied ot all ILF recipients so does not have a differential impact. However the majority of ILF recipients have either a learning or physical disability and so there is a differential impact in terms of all service users who receive social care packages
11. If there is a differential impact, is it likely to have an adverse impact on any group?	The proposal may have an adverse impact on some individuals within the the group of people who are ILF recipients.
12. If there is an adverse impact, can that impact be justified?	Every local ILF recipient has had a joint review of their needs which included a local social worker. Everyone will have their eligible needs met, no care packages will change until the assessment has been completed, and people wtl be provided with information advice and guidance about how to access other services to meet ineligible needs if required. The councils statutory duties will be delivered.
13. What evidence have you used to make your judgment of discrimination and/or	90% of recipients in the city are people with either a learning or physical disability. The information was provided by the national ILF team.

adverse impact?	
14. If the discrimination/adverse impact cannot be justified, how do you intend to deal with it? Is there any alternative measure which would achieve the desired aim without the adverse impact identified?	N/A
15. Does or could, the proposal contribute to a specific duty in equality law? <ul style="list-style-type: none"> • eliminate discrimination, harassment and victimisation • advance equality of opportunity between people from different groups • foster good relations between people from different groups. 	Yes - advance equality of opportunity between people from different groups
16. Are there any groups which might be expected to benefit from the intended outcomes but do not?	No
17. Is the proposal intended to increase equality of opportunity by permitting or requiring action to redress disadvantages? If yes, is it lawful?	Since the closure of ILF to new applicants in 2013 there has been an inequality in that no new people have access to this fund.
18. Have you consulted as part of your	The national ILF team have consulted on the proposals

analysis? Who have you consulted? What methods did you use?	
19. Is there any public concern (in the media etc.) that the proposal is being operated in a discriminatory manner?	There may be concerns raised by people who are currently in receipt of ILF.
20. Have there been any important demographic changes or trends locally? If so, are these anticipated or dealt with by the proposal?	No
21. How is information about the proposal publicised?	Cabinet have agreed the proposal and information will be shared with people on an individual basis.
22. How will you monitor in future?	All care packages will be reviewed in line with the council policy to review care packages that are provided to meet eligible care needs.
23. Is there any other relevant information?	An equalities analysis has been produced for the national programme https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/287236/closure-of-ilf-equality-analysis.pdf

Is there a need for a full Equality Analysis?

Work through the following questions, recording evidence as appropriate. (These questions are the same as on the framework and flowchart (appendices 2 and 3), use whichever one you prefer.

1. Are there any concerns or evidence that the proposal affects or could affect people differently or that the needs of certain groups would not be met? (Consider all the equality strands – age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation;

No

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- If the answer is **No**, then there is **no need to carry out any further analysis**, record the basis for your answer and send this form to be signed off.
 - If the answer is **Yes**, record your concerns and any evidence and **move on to question 2**.
 - If the answer is **Don't Know**, record what evidence is needed to help you make a decision and **move on to question 2**

2. If the proposal affects or could affect people differently, does this mean that some groups of people would experience a less favourable service than others or that the needs of some groups would not be met?

Yes / No / Don't Know

- If the answer is **No**, then there is **no need to carry out any further analysis**, record the basis for your answer and send this form to be signed off.
- If the answer is **Yes**, record what the worse service involves and any evidence and **move on to question 3**.
- If the answer is **Don't Know**, record what evidence is needed to help you make a decision and **move on to question 3**

3. Can this less favourable service be justified on the grounds of advancing equality of opportunity?

Yes / No / Don't Know

- If the answer is **No**, record the basis for your analysis and **move on to question 4**.
- If the answer is **Yes**, the basis for your analysis should also be recorded, now **move on to question 4**.
- If the answer is **Don't Know**, record what evidence is needed to help you make a decision and **move on to question 4**.

4. Can the proposal be amended so that no one experiences a worse service and the overall aims and objectives are still fulfilled?

Yes / No / Don't Know

- If the answer is **No**, unless the proposal can be justified on the grounds of advancing equality of opportunity, the proposal should be referred back
- If the answer is **Yes**, what amendments are required? When the necessary amendments have been identified, **move back to question 1**, to assess the likely impact of the amended proposal.

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- If the answer is **Don't Know**, record what evidence is needed to help you make a decision and **move on to question 5**.

5. Should there now be a full analysis of the proposal? Consider the responses to all the previous questions to decide whether to carry out a more detailed review. If necessary, take advice from colleagues and other stakeholders before reaching a decision.

Yes / No / Don't Know

- If the answer is **No**, set a review date, agree what monitoring will be required and send this form to be signed off.
- If the answer is **Yes**, move onto the full analysis form.
- If the answer is **Don't Know**, detail what information you need to make a judgement and outline how you will obtain this information with timescales

Officer(s) completing the analysis Kathy Roper

**Job Title Head of Commissioning All Age Disability and Mental Health
Tel 550975**

Date 10.12 14

Upon completion of this form please record the date sent to:

Authorising Officer	Date sent
Head of Equalities	Date sent
Equality Project Group (if appropriate)	Date sent