

**Equalities in
Commissioning
in Slough
2023-2026**

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1.0 Introduction

This statement sets out the Council's position with regard to ensuring that commissioning practice aligns to the Equality Act 2010. The Council seeks to ensure that all commissioning practices comply with the Equality Act 2010 and that protected characteristics, equality, diversity and inclusion considerations are embedded into that practice.

2.0 Slough Borough Council Equal Opportunities Statement

Slough Borough Council recognises the huge role that public organisations have to play in advancing equality in Britain today. As major local employers and providers of a wide range of services, local authorities are at the heart of improving life opportunities for people who experience disadvantage and discrimination. Organisations in the public sector are expected to lead the way in promoting equality and human rights, not just through compliance with the law, but also with targeted services and employment actions.

3.0 Legislative Framework

The Equality Act 2010 replaces previous anti-discrimination laws with a single legislative act. The Act simplifies the law, removes inconsistencies and makes it easier for people to understand and comply with Equalities Legislation. The Act also strengthens the law in important ways to help tackle discrimination and inequality. Its purpose is to embed equality considerations into the daily work of public authorities in order to counter discrimination and inequality at every level and to remove the possibility of institutional discrimination. To make this real, the Act imposes the *Public Sector Equality Duty* which itself comprises of a general duty as well as some specific duties which set out how to comply with the *general duty*.

The General Duty has three aims. Public bodies in all their operations must have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation;
- advance equality of opportunity between people from different (equality) groups; and
- foster good relations between people from different (equality) groups.

The general duty is underpinned by specific duties which set out in more detail what a public authority needs to do in order to comply with the general duty.

The Act defines the following protected characteristics against which it is illegal to discriminate:

- Age
- Disability
- Gender Reassignment
- Marriage and Civil Partnership
- Pregnancy and Maternity
- Race
- Religion or Belief

- Sex (Gender)
- Sexual Orientation

References:

- [Equal Opportunities Policy Statement - Slough Borough Council intranet](#)
- [Public sector duty essential guidance - Slough Borough Council Intranet](#)
- [Equality and diversity overview – Slough Borough Council.](#)

4.0 Strategic Commissioning Framework

The People Strategy and Commissioning Team first developed a Strategic Commissioning Framework in March 2019 (refreshed February 2023). The Framework describes the process that will be followed in order to Commission services within the borough that deliver locally agreed outcomes. The process involves following the Analyse, Plan, Do, Review steps set out within the Commissioning Cycle. The Framework ensures that regard for equalities is provided at each step of the process as illustrated below:

Analyse

The Analyse stage of the Commissioning Cycle involves understanding the needs of the local population or defined area of the population (for example older people), assessing whether current services meet that need and are performing satisfactorily. Also, whether services need to be arranged or procured differently to address any gaps in need, including across protected characteristics.

Commissioners will draw upon a wide range of sources in order to determine this, including national and local strategy, legislation, guidance, research, frameworks and datasets. Depending upon the particular section of the population which is being considered, this could include:

- Care Act 2014
- [From harm to hope: A 10-year drugs plan to cut crime and save lives - GOV.UK](#)
- [Projecting Older People Population Information System \(POPPI\)](#)
- [Projecting Adult Needs and Service Information System \(PANSI\)](#)
- [National Drug Treatment Monitoring System](#)
- [The King's Fund](#)
- [Carers UK](#)
- Census 2021 [Census maps - Office for National Statistics](#)

- [Measures from the Adult SocialCare Outcomes Framework - NHS Digital](#)

The analysis element of the Commissioning cycle will always have regard for:

- Equality Act 2010
- Slough Corporate Plan 2022-25 [Appendix A - Doing right by Slough - Corporate Plan 2022-2025.pdf](#)
- [Slough Wellbeing Board Strategy 2020-25](#)
- Frimley ICB Priorities [NHS Frimley](#)
- [Joint Strategic Needs Assessment \(JSNA\) –Slough Borough Council](#)

The views of local people and people who are or who are likely to be affected by any change in provision will also be included within this element of the Commissioning Cycle. Methods used to collect views could include forums, surveys, stakeholder engagement events, discussions with the co-production network, intelligence gathered through contract management and quality assurance activity.

Case Study – Integrated Substance Misuse Recovery and Treatment Service

In 2022, the Council drew upon a wide range of data to support the development of a new Integrated Substance Misuse Recovery and Treatment Service to meet the needs of the local population. This was developed in accordance with the *Slough Corporate Plan 2022-25*, *Slough Wellbeing Strategy 2020 – 2025* and *From Harm to Hope: A 10 year drug plan to cut crime and save lives*. Data referred to included:

- Public Health England 2021-22 Drug Information Pack concerning crack and opiate use in the borough.
- National Drug Treatment Monitoring System data set concerning the incidence of drug use in the over 50s population in Slough and number of dependent drinkers in the borough not in treatment.
- ONS estimates for unmet need for people dependent on opiate and crack / cocaine use.
- National Institute of Health concerning the estimated percentage of those transitioning gender likely to be misusing substances.
- Soft data obtained through engagement with service users, stakeholders and the market to inform service design.

A full equalities impact assessment was undertaken across each of the protected characteristics, with clear actions setting out how the needs of individuals in relation to those protected characteristics will be met.

This includes:

- The provision and accessibility of services to children and young people.
- Ensuring access to services for disabled people for example through arranging home visits where appropriate.
- Ensuring training for staff on supporting members of the LGBT community
- The provision of a dual diagnosis worker and strengthening links with the

Community Mental Health Team to work with individuals with both mental health and substance misuse needs.

Plan

The 'Plan' element of the Commissioning cycle involves drawing upon all the analysis which has been undertaken in order to develop strategies, commissioning strategies and service specifications for meeting current and future need. This could include plans for decommissioning existing provision to free up and utilise resources more effectively. Strategies, Commissioning strategies and Service Specifications should have regard for the Public Sector Equalities Duty and protected characteristics contained within the General Duty. Service specifications in particular provide the opportunity to ensure service providers embed good practice, and report through contract management arrangements how people with protected characteristics are supported.

Case Study – Slough Borough Council Carers Strategy 2023-26

The Carers Strategy 2023-26 makes reference to studies produced by Carers UK which highlight that:

- Black, Asian and ethnic minority carers are more likely to be struggling financially. At the beginning of the pandemic, over half (58%) of unpaid carers from Black, Asian and minority ethnic groups said they were worried about their finances, compared to 37% of White carers.
- LGBT carers are more likely to feel lonely. 48% of bisexual carers and 45% of lesbian and gay carers often or always feel lonely, compared with 33% of heterosexual carers.
- 27% of carers who completed our State of Caring survey in 2022 said they had a disability.

This strategy sets out steps to strengthen the early identification of carers from Slough's diverse community including the underrepresented groups so that their particular needs can be more fully understood and addressed. This aligns with plans to bring the Carers Service in house so that it is embedded within the wider Adult Social Care Operational Team.

Data concerning unmet need will feed into the annual grant cycle for voluntary and community sector groups where bids can be submitted for funding to address gaps in service provision. Members of the co-production network will continue to be engaged in assessing bids for the annual cycle of grant funding of voluntary and community sector services.

Case Study – Housing Assistance Policy

In November 2022 a new Housing Assistance Policy was approved at Cabinet. This included new ways of working for the team and how grants should be managed going forward. In developing the Policy, an Equalities Impact Assessment was undertaken, and it was identified that the service would benefit adults and children across the borough requiring housing assistance.

The Policy removed the requirement for financial assessment for equipment under £10K and introduced Discretionary Disabled Facilities Grant top-up Assistance for residents who own their own home or cannot afford the contributions.

Predominantly residents who use the service are aged between 65 to 85 and have a physical disability. With the new policy, it is expected that more people will be able to access support than before, with fewer people withdrawing due to concerns about means testing. It may well widen the profile of people receiving the grant over the longer term.

In developing the Policy it was discovered that our data quality for this service needs to be improved along with information for residents about the grant.

As a result, information packs are now being produced with the co-production network and the team are actively recording more data to capture the demographics regarding utilisation of the service.

Do

The 'Do' stage of the Commissioning Cycle relates to securing services through a range of activities, including procurement, outsourcing, insourcing, service improvement and market development initiatives. Services are secured in accordance with the Equality Act and the General Duty and informed through consultation.

When tendering services, bidders are required to submit information concerning their equalities policies as well as how they will meet the identified needs of local people for whom services will be delivered.

Case Study – Care and Support in Extra Care Housing

A tender exercise was undertaken in early 2023 to procure new care and support in extra care housing. The procurement was undertaken through the Dynamic Purchasing System. Permission was sought from Cabinet in advance with a full Equalities Impact Assessment being submitted for consideration as part of the Cabinet report.

All providers wishing to bid for the care and support in extra care housing services via the Dynamic Purchasing System were required to be registered with the Care Quality Commission. The Care Quality Commission standards set out that services must be able to meet the specific cultural, language and spiritual/religious needs of individuals through personalisation of the care and support plan.

The full Equalities Impact Assessment identified that there are specific challenges in

identifying male carers and any successful provider would need to be able to meet the needs of Slough's culturally diverse community and related service requirements such as language needs.

In order to ensure this, the Invitation to Tender documentation included the following questions:

(a) How you will engage with service users and the factors you will take into account to provide a person-centred service, given the needs of Slough's diverse community.

(b) Please describe how you will ensure recruitment of male carers alongside female carers and specific language speakers to meet the specific needs of residents.

The bidders were marked against these questions in the scoring. Delivery by the successful bidder against the service specification will be monitored by the Contracts Team once contracts go live.

Review

This stage of the cycle focuses upon monitoring and reviewing the quality and performance of services and ensuring that providers are delivering against the requirements set out within the service specification. The contracts team maintains an up to date Contracts Monitoring Forward Plan to ensure that regularity of contract monitoring meetings is maintained. Contract monitoring information informs the Analyse stage of the Commissioning cycle.

Case Study – Voluntary and Community Sector

In 2022, the Council set out plans to recommission Voluntary and Community Sector and Information and Advice Services. Commissioners drew upon up to date performance information gathered through contract management to inform the recommendation to bring the Carers Service in-house.

This recommendation was accepted and provides an opportunity to better identify and address the unmet needs of carers, including the needs of carers from Black and Minority Ethnic and LGBT communities and Disabled Carers, which are likely to be more acute (see above).

Our Information and Advice service captures data that can tell a story of both increasing and decreasing needs across equality groups. This is shared during contract management meetings and can be drawn upon to influence future service development.

Case Study – Integrated Wellbeing Service

The Integrated Wellbeing Service brings together a number of preventative services with a single point of access. These include smoking cessation, brief alcohol intervention, falls prevention, weight management and health checks. The aim of the Service is to provide a sustainable, accessible and transformative

platform that will allow the people of Slough to make healthy choices as a matter of routine in their everyday lives. In order to ensure access across Slough's diverse communities, courses are offered in a number of different community languages including Urdu and Punjabi. Single sex classes are also held to encourage take-up of services amongst women. Information concerning the Service offer is reported into and monitored by the Contract Management Team.

5.0 Ensuring equalities in individuals placements

During the purchasing function, the assessment of need for an individual is forwarded to the potential provider for them to make a pre-admission assessment and to confirm that the individual's needs can be met, including any related to protected characteristics, e.g. age, race, disability, language, cultural and spiritual needs.

For accommodation with care and support the Council introduced an Adults Social Care Dynamic Purchasing System (DPS) through which anonymised pen pictures of individuals can be published for providers to submit costed proposals for meeting the needs of the individual.

The pen pictures are written from the first person perspective with details of background information about the individual such as age, ethnicity, disability, language or communication needs, cultural or spiritual needs, their hobbies, preferences and dislikes, their care and support needs, a description of any support they need to help them to self-manage behaviours, any goals or outcomes they wish to achieve whilst they are living at the service, and the indicative budget derived from the service user's assessment of need.

Submitted proposals are evaluated by the service user who is supported by their allocated key worker, and their representative, advocate or Authorised individual.

6.0 Personal Budgets

The Council is committed to helping people to live independently with more choice and control over the care and support they receive.

Promoting wellbeing is not always about the council meeting needs directly. It is just as important for us to provide people with the information they need to take control of their care and support and choose the options that are right for them.

The Council provides information to everyone eligible to receive social care support, about the indicative cost of their care and they are supported to make decisions about how they spend that money; this is called 'self-directed support'.

Direct payments is one way in which self-directed support can help individuals to

have greater control of how they receive the help they need, allowing the individual to buy the service directly or to employ a personal assistant instead of the council arranging services on behalf of the individual. In doing so they are often able to employ family or friends from their own cultural and religious background with specific language skills.

Think Local Act Personal (TLAP) has cited the benefits to personalised community-based care and support in ethnically diverse communities. As many community groups are not commissioned, the use of direct payments plays a significant role in purchasing culturally sensitive support, with Slough achieving higher than average uptake of 20% of people supported via ASC

Direct Payment recipients can receive a one-off payment or a regular ongoing payment to fund their care and support. Carers who are providing substantial care or support for the cared for person are able to receive an annual one-off payment according to their assessed need.

All adults with eligible care and support needs are able to be offered a Direct Payment and if they are unable to manage the administration themselves, they can use a payroll service, or nominate a person to administer the Direct Payment on their behalf or if they lack mental capacity, they can use a managed account service or to support them.

During 2022/23 over 165 Carers one-off payments, 425 service user direct payments were administered allowing 590 people to purchase care and support to meet their needs as appropriate to their protected characteristics.

Slough currently has the second highest percentage of community direct payments across the South East.

7.0 Engagement and Co-production throughout the Commissioning Cycle

Slough Borough Council is committed to ensuring appropriate engagement and co-production throughout the commissioning cycle.

The co-production network was established in 2019 and has been active and instrumental in the commissioning of services in the borough.

Case Study - Co-production in Slough

As part of our commitment to co-production, a 'working together' tool kit was co-designed by people with experience of using health and social care services and professionals in Slough.

This practical toolkit explores the different ways to engage with people and communities, identifies barriers and what to consider when working with different groups of people. This has helped inform our approach of involving people with lived experiences in commissioning activity.

An example of this was involving the Coproduction network in the commissioning of Healthwatch service. Their involvement included being part of the tender evaluation and provider clarification meetings. This helped ensure that there was a strong focus on selecting a provider that understood the diverse needs of residents.

Members of the coproduction are currently involved in the re-commissioning of the advocacy service in Slough. They will be involved in the design of the service specification through to selecting the provider. A key requirement is that the provider will need to demonstrate that it is able to meet the needs of diverse groups including those with different support needs and from diverse communities.

Case Study 2 – Co-production Network – Review of Documentation for Direct Payments.

The co-production network worked with the Council to review the documentation sets associated with the direct payments scheme with a view of improving take up of the Direct Payments. The co-production network identified a number of improvements that were related to equalities.

The technical language used within the original documents was changed to improve ease of reading and comprehension.

The photographic images used within the documents were improved so that they were representative of a greater range of cultures, race, disability and ages. Similarly, additional case studies were included to improve the representation of people with diverse protected characteristics.

8.0 Quality Assurance

The Quality Assurance Team monitors quality and addresses quality concerns with local providers delivering care and support in regulated and unregulated settings. This includes undertaking planned and responsive visits to residential and nursing care, supported living services and domiciliary care. Where quality concerns are identified or flagged to the team, the team works with a range of stakeholders (including health, the Care Quality Commission, Thames Valley Police, Royal Berkshire Fire and Rescue Service, the Home Office, host Local Authorities and operational colleagues) in order to address these. Further information can be found in the Quality Assurance and Care Governance Procedures. Over 2023 we will be working with partners to ensure their increased involvement in managing quality assurance in the borough as well as developing the way in which social workers can contribute more fully to identifying quality concerns in services, including out of borough placements. We will also be providing a comprehensive review of how out of borough placements are risk assessed and monitored.

9.0 Governance

Governance and decision-making requirements which relate to commissioning differ depending upon the significance of the change required and/or the value of any contract being let.

Details relating to the Council's Contract Procedure rules are contained within the [Constitution \(Slough Borough Council\)](#)

All Commissioning related reports to Cabinet are required to contain a full equalities impact assessment (EIA). The EIA describes the aims, objectives and purpose of the policy, service change or function for which approval is being sought at Cabinet. It also considers who is likely to be affected, the impact for individuals with protected characteristics and any actions or mitigations which are required.